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The standards and procedures presented establish the basic rules governing the development and operation of various programs administered by the U.S. Department of Labor, Bureau of Work Programs under the Economic Opportunity Act of 1964, as amended. Basic standards relate to qualification of sponsors, eligibility of enrollees, hours of work, duration of enrollment, and wages. These standards are regarded as extensions of the statutes and regulations already promulgated. Major sections are titled: Definition of Programs and Eligibility Standards; Program Standards; Promotion, Development, and Coordination of Projects; Procedures for Project Application and Determination of Sponsorship; and Procedures for Conducting Work Training in Industry.

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HANDBOOK for SPONSORS 1967

UNITED STATES DEPARTMENT OF LABOR · MANPOWER ADMINISTRATION · WASHINGTON, D.C. 20210

U.S. DEPARTMENT OF LABOR
W. Willard Wirtz, Secretary

MANPOWER ADMINISTRATION

BUREAU OF WORK PROGRAMS
Jack Howard, Director

HANDBOOK FOR SPONSORS.

STANDARDS AND PROCEDURES FOR WORK-TRAINING EXPERIENCE PROGRAMS UNDER THE ECONOMIC OPPORTUNITY ACT OF 1964, AS AMENDED

Title I, Part B - Neighborhood Youth Corps Program
Title I, Part D - Special Impact Program
Title II, Section 205(d) - Operation Mainstream
Title II, Section 205(e) - New Careers Program

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

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Washington, D. C.
April 1967

PREFACE

The standards and procedures prescribed herein establish the basic rules governing the development and operation of the various programs administered by the U. S. Department of Labor, Bureau of Work Programs under the Economic Opportunity Act of 1964, as amended. Generally, they apply equally to all of the programs. For this reason, they make no distinctions except in those instances where a particular standard or procedure is not applicable to all programs.

Additional standards and procedures will be developed as the programs take form and operational needs become more apparent. The basic standards related to questions such as qualifications of sponsors, eligibility of enrollees, hours of work, duration of enrollment, and wages are prescribed, herein. These will undoubtedly require revision depending on program experience.

These standards and procedures are to be regarded as extensions of the statutes and the regulations promulgated pursuant thereto. The opportunity to develop and to effectively implement a project depends heavily on the extent to which there is adherence to these standards and procedures.

CONTENTS

Page

PREFACE

INTRODUCTION v

I. DEFINITION OF PROGRAMS AND ELIGIBILITY STANDARDS 1

A. ADULT WORK-TRAINING EXPERIENCE PROGRAMS 1

1. TITLE II, SECTION 205(d) (Operation Mainstream) 1

a. Eligible Projects 1
b. Eligible Persons 3
c. Program Design 4

2. TITLE II, SECTION 205(e) (New Careers Program) 4

a. Eligible Projects 5
b. Eligible Persons 6
c. Program Design 6

3. TITLE I, PART D (Special Impact Program) 8

a. Eligible Projects 8
b. Eligible Persons 10
c. Program Design 10

B. YOUTH PROGRAM 12

1. NEIGHBORHOOD YOUTH CORPS 12

a. Eligible Projects 12
b. Eligible Persons 13
c. Program Design 14

II. PROGRAM STANDARDS 1

A. ELIGIBILITY 1

1. Employment, Economic and Age Criteria 1

a. Operation Mainstream 1
b. New Careers 1
c. Special Impact 1
d. Neighborhood Youth Corps 2

Page

e. Poverty Index 3

2. Additional Information Relating to Eligibility 4

a. Definition of Terms 4
b. Determination of Income 5
c. Certification of Income Data 5
d. Wards of Private or Public Agencies 5
e. Additional Members of the Same Family 6
f. Determination of Age 6

3. Non-Violence Clause 6

B. WAGES AND ALLOWANCES 6

C. HOURS OF WORK 7

D. WORKING CONDITIONS 8

1. Provision of Food or Lodging 8

2. Vacations, Holiday and Sick Leave 9

3. Other Fringe Benefits 9

E. PROJECT SPONSORSHIP 10

1. Administrative Standards 10

a. Recruitment and Selection 10
b. Determination of Enrollee Eligibility 11
c. Orientation of Enrollees 11
d. Assignment to Work Stations 11
e. Assessment of Progress 12
f. Job Development, Placement and Referral 12
g. Termination of Enrollees 12
h. Follow-up 12
i. Maintenance of Records 13
j. Self-Evaluation of Effectiveness 13
k. Application of the Hatch Act 13

2. Grievance Procedures 14

a. Scope of Grievance Procedure 14
b. Grievances on Compensation 14
c. Processing Grievances 14
d. Legal Advice 15

3. Staffing Standards 15

Page

a. Project Directors and Deputy Directors 16
b. Fiscal Officers 17
c. Counselors 17
d. Work Supervisors and Instructors 18
e. Training for Trainers 18
f. Reimbursement for Providing Supervision 18
g. Clerical Personnel 18

4. Staff Salary Standards 19

F. MAINTENANCE OF EFFORT 19

G. PROJECT DESIGN 20

1. Criteria for Selection of Area 20

a. Geographic Area 20
b. Accessibility 21

2. Duration of Contracts and/or Grants 22

3. Distribution of Project Costs 22

a. Project Financing 22

4. Period of Enrollment 24

a. Needs of the Individual 24
b. Annual Review--In-School Enrollees 24
c. Maximum Duration 24

5. Maximum Period of Support for Jobs Under Section 205(e) . . . 25

6. Work Assignments 25

a. Assignment of Enrollees 25
b. Limitations on Projects in Religious Institutions 26
c. Limitations on Work Assignments 29

7. Supportive Services 30

a. Basic Education Services 31
b. Counseling and Guidance 31
c. Health and Medical Services 32
d. Transportation 33
e. Other 33

8. Linkages With Projects Funded Under Other Programs 33

Page

III. PROMOTION, DEVELOPMENT AND COORDINATION OF PROJECTS 1

A. FUNCTIONS AND RESPONSIBILITIES OF FIELD REPRESENTATIVES 1

B. REVIEW OF PROJECTS 2

1. Field Offices 2

2. Regional Offices 3

3. National Office 5

C. EMPLOYMENT SERVICE ASSISTANCE TO SPONSORS 5

IV. PROCEDURES FOR PROJECT APPLICATION AND DETERMINATION OF SPONSORSHIP 1

A. CRITERIA FOR DETERMINING SPONSORSHIP OF PROJECTS 1

1. Definition of Terms 1

a. Community Action Agency 1
b. Sponsor 1

2. Criteria for Sponsorship of Projects 1

a. Prior Rights of CAA's 1

B. PROCEDURES FOR DETERMINING SPONSORSHIP OF PROJECTS 1

1. Applications for New Projects 1

a. Procedures for the Applicant 1

2. Applications for Project Renewals 3

a. Applicability of Criteria 3
b. Project Renewals Defined 3
c. Procedures for Project Renewals 3

3. Procedures for BWP and OEO Regional Offices 3

4. Procedures for BWP and OEO National Offices 5

C. SPECIAL SITUATIONS 6

Page

1. Proposed Projects Under Title II 6

2. Modifications That Involve Changes in Funding 6

CHECKPOINT FORM 7

V. PROCEDURES FOR CONDUCTING WORK TRAINING IN INDUSTRY 1

APPENDICES

APPENDIX A

Bureau of Work Programs--Organization Chart . . . .

APPENDIX B

Civil Service Commission Notice No. 1982a . . . .

APPENDIX C

Examples of Sub-Professional or "New Career" Positions Which Might Be Developed Under Section 205(e) . . . .

APPENDIX D

Letter, The Director, Office of Economic Opportunity, to The Secretary of Labor--December 14, 1966 . . . .

APPENDIX E

Letter, The Secretary of Labor to The Director, Office of Economic Opportunity--January 23, 1967 . . . .

INTRODUCTION

Responsibility for administering four separate work-training and job creation programs authorized under the Economic Opportunity Act, as amended, is now vested in the Secretary of Labor by delegation from the Director, Office of Economic Opportunity. The first of these, Title I B, was delegated to the Secretary upon enactment of the EOA in 1964. The remaining three are newly delegated programs and are addressed to the problems of work-training and job creation. Title I, Part D is specifically designed to have maximum impact on a defined urban community or neighborhood.

The programs authorized by Title I, Parts B and D and Title II, Section 205(d) and (e) will be administered through the Bureau of Work Programs, a new bureau expressly created to bring together in one administrative element these four separate but closely related programs.

It has been mutually agreed by the Secretary of Labor and the Director, Office of Economic Opportunity, that all projects under these four programs will be developed by or with Community Action Agencies and that the CAA's will be the sponsor (i.e., be the prime grantee or prime contractor). Sponsorship by other than Community Action Agencies will be approved only because of the non-existence of such an agency or for program reasons establishing a compelling argument against such sponsorship. Whenever non-CAA sponsorship is proposed in a community which has a CAA, regardless of whether the CAA is in agreement with such alternative sponsorship, the OEO regional office will be notified by the Labor regional office and the reasons for alternate sponsorship discussed with them. If the OEO regional office does not concur in the proposal, the matter will be negotiated by the two regional offices. Where differences persist after regional and headquarters staff discussions, they will be resolved jointly by the Washington headquarters of Labor and OEO.

The material contained in this document is to be regarded as official but temporary. This is considered appropriate because two of the three newly delegated programs are new programs (Title I, Part D and Title II, Section 205(e)) with features sufficiently unique to qualify them as experimental and/or demonstrational programs. Consequently, experience may quickly indicate need for change. The third (Title II, Section 205 (d)) is an on-going program which is to be reviewed and re-evaluated in light of changing concepts of how best to serve the needs of the poor, the older worker, and the chronically unemployed. It is the intention of the BWP to issue a more formal document, perhaps a manual, at the earliest possible moment.

I - DEFINITION OF PROGRAMS AND ELIGIBILITY STANDARDS

Legislation authorizing these programs was enacted in pursuance of the policy of the United States as stated in Section 2 of the Economic Opportunity Act, as amended, which is "....to eliminate the paradox of poverty in the midst of plenty in this Nation by opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity. It is the purpose of this Act to strengthen, supplement, and coordinate efforts in furtherance of that policy." Synoptic descriptions of the four programs follow.

A. ADULT WORK-TRAINING EXPERIENCE PROGRAMS

1. TITLE II, SECTION 205(d) (Operation Mainstream)

This program was authorized by the Congress in 1965. It authorizes grants for projects (1) which involve activities directed to the needs of those chronically unemployed poor who have poor employment prospects and are unable, because of age or otherwise, to secure appropriate employment or training assistance under other programs, (2) which, in addition to other services provided, will enable such persons to participate in projects for the betterment or beautification of the community or area served by the program, including without limitation, activities which will contribute to the management, conservation or development of natural resources, recreational areas, Federal, State, and local government parks, highways, and other lands, and (3) which are conducted in accordance with standards adequate to assure application of those policies under the Act designed for the protection of employed workers and for maintenance of basic rates of pay and other suitable conditions of employment.

a. Eligible Projects

(1) Projects under this program must be designed to provide meaningful work experience and training to unemployed adult poor persons in activities which will improve the social and physical environment of the community. The objective is to provide training for permanent jobs in the competitive job market.

(2) Projects may include:

(a) Improvement and beautification of parks and open spaces in low income neighborhoods;

(b) Improvement and rehabilitation of community facilities, including those utilized for health, senior citizens, social services, and recreation;

(c) Maintenance, improvement and protection of forests and wildlife areas, roadside beautification, and National, State, and local park facilities;

(d) Social, health, and educational services for the poor;

(e) Rehabilitation of homes and centers for the aged poor; and,

(f) Elimination of water and air pollution.

NOTE: Work assignments authorized by 205(d) projects will generally be limited to public institutions or lands. If projects are designed specifically to provide work-training in privately owned institutions, or on privately owned land, permission to fund such projects must be obtained from the BWP national office.

(3) Priority will be given to projects which in the judgment of the Administrator, BWP, have been successfully operated under Section 205(d) and can qualify under the standards prescribed herein, and those which:

(a) Provide meaningful work experience and training leading to the opportunity for permanent employment;

(b) Have a beneficial effect on the physical and social environment, especially in areas of concentrated poverty;

(c) Provide service and/or employment opportunities for older persons; and,

(d) Are in a rural area or town.

b. Eligible Persons

(1) In order to qualify for this program, a person must:

(a) Be 22 years of age or older; and,

(b) Be chronically unemployed, i.e., unemployed for more than 15 consecutive weeks; repeatedly unemployed over the prior two years; or employed less than 20 hours per week for more than 26 consecutive weeks; and,

(c) Have an annual family income below the poverty line.

(2) Priority will be given to persons who:

(a) Have no reasonable prospects for full-time employment or training assistance under other Federally funded or assisted work or training programs; and

(b) Have completed or been terminated from any other Federally funded or assisted work or training program for other than "just cause" and have not been placed in permanent employment through no fault of their own.

Detailed eligibility criteria will be found in Part III, hereof.

A substantial proportion of the funds appropriated for this program for Fiscal Year 1967 have been committed. Even if it were considered desirable, it would not be possible to effect significant program changes until current grants expire or requests for additional funds are received. In light of these facts, judgments pertaining to changes in program design will be reserved pending completion of a thorough review and evaluation of the FY 1967 programs, consistent with the new guidelines prescribed herein. Such a review and evaluation will be undertaken at the earliest possible moment.

c. Program Design

This program is designed to provide meaningful work-experience and training for chronically unemployed poor persons who are at least 22 years of age and who have poor employment prospects, in activities which will improve the social and physical environment of the community. It involves the unemployed and underemployed in activities which provide training for permanent jobs. It also requires the employing agency to endeavor to provide permanent employment opportunities for, and to hire, those persons who receive work-training and who qualify for such jobs. These jobs must be over and above present employment levels or in unfilled vacancies in established positions. Projects should provide access to additional training opportunities in the community for those enrollees who complete their period of work-training under this program and do not secure permanent employment. Projects may include training and/or basic education, as appropriate to the needs of individual enrollees, if required to prepare them for permanent employment or admission to further training under this or other relevant programs.

2. TITLE II, SECTION 205(e) (New Careers Program)

This is a new program authorized by the Congress in 1966. It authorizes grants to or agreements (contracts) with any State or local agency or private organization to pay all or part of the costs of adult work-training employment programs for unemployed, low-income persons involving activities designed to improve the physical, social, economic or cultural condition of the community or area served in fields including, but not limited to, health, education, welfare, neighborhood redevelopment, and public safety.1/ Such projects must (1) assist in developing entry level employment opportunities, (2) provide maximum prospects for advancement and continued employment without Federal assistance, and (3) be combined with necessary educational training, counseling, and transportation assistance, and such other supportive services as may be needed. A major objective of this program is to contribute to and facilitate the process of designing and creating new career jobs in public service (either in the civil services or in private non-profit agencies) as support or sub-professional personnel.

1/ No positions for sub-professionals already funded under Section 205 of the EOA will be eligible for funding under this Section 205(e), and no reduction in the number of sub-professionals may occur as a result of this new program.

a. Eligible Projects

(1) Projects under this program must be designed to prepare unemployed, low-income adults for entry into career jobs in public service as support/sub-professional personnel. Such jobs must offer possibilities for continuing full-time employment and realizable opportunity for promotion and advancement through a structured channel of promotion.

(2) Priority will be given to projects which:

  (a) Offer access to unfilled positions in the public service as support/sub-professional personnel. Such positions must provide opportunity for upward mobility and wage or salary increases upon the acquisition of greater skill, experience and academic qualifications, e.g., a high school diploma or equivalency certificate or specific vocational training.

  (b) Open new career opportunities leading to permanent jobs and upward or lateral mobility into jobs with more responsibility or higher pay.

  (c) Develop occupations which will provide new or improved services to the poor.

  (d) Will ease work-loads on professionals in such fields as health, education, welfare, public safety and neighborhood development.

  (e) Provide that employing agencies will pay all or part of the enrollees' salaries while engaged in work-training activities. Employing agencies (or other appropriate funding sources) shall be encouraged to pay at least 50 percent of the wages and related fringe benefits, as appropriate, during the second year of a participant's enrollment.

(3) Major emphasis is to be placed on the creation of "New Career" jobs in established institutions which provide a public service. Some such job classifications are already established as support/sub-professional personnel in certain Federally financed programs such as Education Aides, Health Aides and Casework Aides, but they are not

being widely utilized by some of the older, more traditional institutions. Other such job classifications have been long established in municipal and State governments but are closed to the poor because of their inability to pass written tests or to meet academic and other standards which are often unrealistic and totally unnecessary to acceptable levels of job performance.

b. Eligible Persons

(1) In order to qualify for this program, a person must:

(a) Be 22 years of age or older;

(b) Have an annual family income below the poverty line;

(c) Be unemployed.

(Permission to waive (b) above for a small proportion of project enrollees may be granted by the BWP regional director, if special conditions appear to warrant such exception. In all cases, however, priority must be given to enrollees who meet all of the eligibility criteria.)

Non-professionals employed by CAA's are eligible for enrollment in this program. 2/

Persons in the employ of employers participating in a project authorized under Section 205(e) are eligible for enrollment in a Section 205(e) project provided they meet the eligibility criteria prescribed above.

Detailed eligibility criteria will be found in Part II, hereof.

c. Program Design

This program is a job creation effort with major emphasis on access to new careers and will be operated on a demonstration basis. It is to be administered in a manner calculated to derive maximum benefit from both of these special characteristics.

2/ Persons serving as non-professionals in CAA's shall not be foreclosed from consideration for enrollment in this program by virtue of such service. Such a person shall be deemed eligible for enrollment PROVIDED THAT: (1) He met the criteria in (1) above at the time of his enrollment by the CAA; and, (2) His employment by the CAA is terminated upon enrollment in this program.

(1) As a job creation effort. Projects will be authorized only in those communities where there is a realistic basis for assuming that local, State and Federal agencies and other public service agencies operating in such communities will create and maintain permanent career positions of the types indicated above after Federal support ends; where the project can be expected to have a major effect on the poor and the unemployed and upon the problems which bar such persons from access to dignified and meaningful employment; and, where it can be demonstrated that the disadvantaged poor can successfully prepare for new types of permanent jobs which will provide new or expanded public services in areas of public need. Each applicant should identify more than one "New Career" job title and provide a plan for successive promotions for each.

(2) Basis of operation. Projects carried out under this program should serve as models and encouragement to other public and private agencies and organizations, including those in the for-profit sector, to undertake similar experiments and to abandon out-moded concepts and stereotypes. Civil Service Commissions, labor unions--especially unions of government workers--and professional societies must be heavily involved at all levels in order to assist in the task of establishing permanent positions for persons reached and trained under this program and which will be maintained after Federal support is withdrawn.

The importance of the criterion of upward mobility cannot be over-emphasized. Training for "dead-end" jobs will not be authorized. Neither will training be authorized for entry-level jobs on which the wage rate is patently sub-standard. Wage rates shall be the equivalent of the Federal or State minimum or the prevailing wage in the area, whichever is highest. Finally, great care must be exercised to avoid characterization of "New Career" positions as positions reserved only for the poor. This will require the utmost skill and tact on the part of those charged with the responsibility for implementing individual projects, especially in their relations with the professionals who are to be associated with and assisted by persons served under this program.

Note: As elements of the Community Action Programs authorized under Title II of the Act, the programs authorized under these Sections 205(d) and (e) are subject to all the special provisions contained in that Title, in particular, Section 202(c) (3) Participation of the Poor; Section 203, Allotments to States; Section 205(f) Special consideration for projects which promise permanent increase in capacities of individuals, groups and communities; and Section 208(a) Limitations on Federal assistance. In addition, they are subject to relevant Sections of Title VI of the Civil Rights Act of 1964, relating to the provision of equal opportunity for all persons in Federally funded programs.

3. TITLE I, PART D (Special Impact Program)

This is a new program authorized by the Congress in 1966. Its basic objective is to solve critical manpower problems existing in a defined urban community or neighborhood. It authorizes grants to public or private non-profit organizations and contracts with private organizations to carry out these objectives. Where feasible and appropriate, projects under this Part D should serve as catalysts in structuring and coordinating projects consisting of components authorized under this and other relevant programs which are also aimed at improving employment prospects of neighborhood residents and the over-all social and physical improvement of the neighborhood.

a. Eligible Projects

(1) Projects under this program must be confined to a particular community or neighborhood, defined without regard to political or other sub-divisions or boundaries. They must be directed to the solution of critical manpower problems existing in that community or neighborhood. The community must have an especially large concentration of low income persons. Projects must be of sufficient size and scope to have an appreciable impact in arresting tendencies toward dependency, unemployment and rising community tensions. Where feasible and appropriate, projects under this Part D should serve as catalysts in structuring and coordinating projects consisting of components authorized under this and other relevant programs which are also aimed at improving employment prospects of neighborhood residents and the over-all social and physical improvement of the neighborhood.

(2) Projects may include but need not be limited to:

(a) Payment of salaries and other allowances for enrollees in work experience and training projects similar to those described under Title II, Sections 205(d) and (e) of the Act and other related costs for such program activities. (See I.A.1. and I.A.2., hereof)

(b) In conjunction with manpower services provided under other programs, the provision of services essential for comprehensive manpower programs. Such services may include:

i. Basic and remedial education

ii. Prevocational services

iii. Payment of labor costs for physical rehabilitation of neighborhood facilities and other necessary specific services and costs attendant to improving the employability of the unemployed and effecting their placement in jobs.

iv. Outreach, and supportive aids

v. Health

vi. Transportation

(c) Provision of critical urban services such as building code enforcement and neighborhood rehabilitation.

The expenditure of funds provided under Title I-D must be used to supplement, rather than substitute for, on-going activities in the geographic area to be served.

(3) Priority will be given to projects which:

(a) Are an integral part of an overall comprehensive manpower effort for residents of the neighborhood;

(b) Provide essential supportive and other related services, in conjunction with other planned or on-going activities, which might not otherwise be available for training neighborhood residents;

(c) Demonstrate optimum functional program linkage with all other manpower and related neighborhood conservation, rehabilitation, and development activities planned or operating in the neighborhood;

(d) Provide for maximum participation of neighborhood residents in the implementation of the project, including the hiring of such residents for jobs created by the project;

(e) Provide employment opportunities, in activities involving major improvements in the physical and social environment of the neighborhood.

b. Eligible Persons

(1) In order to qualify for this program, a person must:

(a) Be a resident of the community or neighborhood served by the project in which he seeks to be enrolled;

(b) Be 16 years of age or older;

(c) Have an annual family income below the poverty line;

(d) Be unemployed.

(Permission to waive (c), above, for a small proportion of project enrollees may be granted by the BWP regional director if special conditions appear to warrant such exception. In all cases, however, priority must be given to enrollees who meet all of the eligibility criteria.)

(2) Priority will be given to persons who:

(a) Are chronically unemployed poor;

(b) Have no reasonable prospects for full-time employment or training assistance under other Federally funded or assisted work or training program.

(c) Have completed or been terminated from any other Federally funded or assisted work or training program for other than "just cause" and have not been placed in permanent employment through no fault of their own.

c. Program Design

This program has the objective of mobilizing and integrating existing and planned resources related to employment, training and job placement of neighborhood residents. Projects should be so designed as to concentrate these mobilized manpower resources in a compact and specifically defined geographic area as described above. Projects should be of sufficient size and scope to have an appreciable effect in arresting tendencies toward chronic unemployment, dependency, rising community tensions and other related social problems of the community which bear on the employability of its residents.

Development of a project will require, as a first step, a thorough analysis of the nature, extent, and impact of unemployment and underemployment in the geographic area to be served by the project. In addition, it will be necessary to perform a similarly detailed analysis of on-going and planned manpower program efforts in the neighborhood including, at a minimum, such factors as the population presently being served, the availability of a total spectrum of manpower related services, including a full range of supportive services, the quality of these existing services in terms of impact on program participants, and the extent to which these various services are operationally linked and complementary. Such analyses must specifically include the program activities of projects authorized under other sections of the EOA, including the other programs administered by the BWP, and under other Federal authority, such as the MDTA, VRA, Vocational Education and the community development programs administered by HUD. Resources available under State and local authority and from non-governmental sources, including those of private enterprise, should be added as feasible and appropriate.

The result must be a fully mobilized and coordinated manpower program effort aimed at the chronically unemployed poor and other residents of the neighborhood with the specific objective of increasing the employability of those residents and their ultimate placement in the competitive job market. To this end, the basic objective of projects under this Part D shall be to effect this total mobilization of all available resources through the development of a single project plan which focuses concentration of these manpower resources on the problems of residents of the neighborhood, and, to the extent feasible, provides project funds to pay the costs of those services which would not otherwise be available in order to carry out the project plan. Further, the project shall strive (1) to achieve a synergistic effect from the program elements planned as well as those presently operating in the community and (2) to bring innovative programs to bear on total community problems.

Note: This program is not subject to any formula requiring allotment of funds among the States but it is subject to the following limitations: (1) the Federal share of projects funded under this program may not exceed 90% except as provided in the EOA, as amended; (2) where capital investments specifically related to job training activities are required under contracts with private for-profit organizations, the Federal share may not exceed 90%; (3) relevant Sections of Title VI of the Civil Rights Act of 1964.

B. YOUTH PROGRAM

1. Neighborhood Youth Corps

This Title authorizes agreements for (1) projects to provide part-time work-training experience for youth from low-income families who are in the ninth through twelfth grades of school (or are of an age equivalent to that of students in such grades) and (2) projects to provide low-income unemployed youth useful work-training experience combined, where needed, with educational and training assistance, including basic literacy and occupational training. Enrollment shall be limited to youth aged sixteen through twenty-one years.

a. Eligible Projects

(1) Projects under this program must be designed to provide meaningful work-experience, training and necessary supportive services to eligible youth which will provide them with earnings to permit them to maintain or resume attendance in school and/or assist them to develop their maximum occupational potential.

(2) Projects generally provide work opportunities similar to those found in the adult programs. They may include assignments in such fields as:

- (a) Educational services;
- (b) Conservation and beautification;
- (c) Food and health services; and
- (d) Community and recreation services

Enrollees may be assigned to work stations with private employers.

(3) Priority will be given to projects which are:

- (a) Renewed projects and which, in the judgment of the Administrator, BWP, have been successfully operated under Title I, Part B.

(b) New projects which provide meaningful work-experience and training designed to develop enrollees' maximum occupational potential and to contribute to their upward mobility.

b. Eligible Persons

(1) A youth may be selected for an in-school project if at the time of selection he is:

(a) Attending the ninth through twelfth grades of school, or its equivalent, or attending an elementary school but is of the same age as that of students in the ninth through twelfth grades and in need of paid work experience in order to continue in school, or

(b) Not attending school and is of the same age as that of students in the ninth through twelfth grades of school and in need of paid work-experience in order to resume and maintain school attandance.

(c) A member of a low-income family.

(2) A youth may be selected for an out-of-school project if, at the time of selection, he is 16 through 21 years of age, a member of a family with annual income below the poverty line, unemployed, out of school, and not planning to return to school, and in need of useful work-experience in public agencies or private organizations, combined where needed, with educational and training assistance, including basic literacy, counseling, and occupational training designed to assist him to develop his maximum occupational potential.

(Permission to enroll a small proportion of youth who are not members of families with incomes below the poverty line may be granted by the BWP regional director if special conditions appear to warrant such exceptions. In all cases, however, priority must be given to enrollees who meet all of the eligibility criteria.)

The purpose of the Title I-B program is primarily to assist youth who are not high school graduates.

With the permission of the BWP regional director, a limited number of high school graduates may be enrolled in instances where the functional educational level of such graduates is so low that their need for assistance is as great as the needs of the non-graduates. Projects shall include no more than 10 percent of such enrollees.

c. Program Design

This program has three major goals and three major components.

(1) The in-school program is designed to help youth from low income families to stay in school. By providing part-time work coupled with counseling and, when necessary, related remedial education and vocational training, the program makes it possible to increase the holding power of the schools. These youth may stay in the program until graduation from high school.

(2) The out-of-school program is designed to meet the objective of increased employability for the unemployed, low-income youth who are not in school, by providing the work-experience, counseling, remedial education and training that will result in their return to school; or for those youth for whom return to school is not feasible, will result in improvement in motivation and work habits that will lead to vocational training or permanent employment.

(3) During the summer months--the traditional school vacation period--millions of young Americans look for work. The disadvantaged youth, those most in need of work, are frequently those least able to find it. The summer program is designed to assist these youth by encouraging them to maintain or resume their education, providing them with financial assistance, and enhancing their employment potential. Remedial education, counseling and training are provided in addition to work experience as required.

II - PROGRAM STANDARDS

A. ELIGIBILITY

All enrollees in programs administered by the Bureau of Work Programs must meet the standards herein prescribed regarding residence, employment status, age and economic condition. Persons whose annual family income is below the poverty line and otherwise meet prescribed criteria are eligible for these programs.

1. Employment, Economic and Age Criteria

a. Applicants for Operation Mainstream projects must:

(1) Be 22 years of age or older; and,

(2) Be chronically unemployed, i.e., unemployed for more than 15 consecutive weeks; or, repeatedly unemployed over the prior two years; or, employed less than 20 hours per week for more than 26 consecutive weeks; and,

(3) Have an annual family income below the poverty line.

b. Applicants for New Careers projects must:

(1) Be 22 years of age or older;

(2) Have an annual family income below the poverty line;

(3) Be unemployed.

c. Applicants for Special Impact projects must:

(1) Be a resident of the community or neighborhood served by the project in which he seeks to be enrolled;

(2) Be 16 years of age or older;

(3) Have an annual family income below the poverty line;

(4) Be unemployed.

Note: Permission to waive 1.b. (2) and 1.c. (3), above, for a small proportion of project enrollees may be granted by the BWP regional director if special conditions appear to warrant such exception. In all cases, however, priority must be given to enrollees who meet all of the eligibility criteria.

d. Applicants for Neighborhood Youth Corps projects must be:

permanent residents of the United States. For the purpose of this standard, those natives and citizens of Cuba who arrived in the United States from Cuba as non-immigrants or as parolees subsequent to January 1, 1959, are to be considered permanent residents.

(1) In-School Projects

(a) A member of a low-income family; and,

(b) Attending the ninth through twelfth grades of school, or attending an elementary school and be of the same age as that of students in the ninth through twelfth grades, but not less than 14 years of age, and in need of paid work experience in order to continue in school; or,

(c) Not attending school and be of the same age as that of students in the ninth through twelfth grades, but not less than 14 years of age, and in need of paid work experience in order to resume and maintain school attendance.

Note: Youth 14 and 15 years of age may be enrolled only if the project contains a special component for their inclusion which has been reviewed and approved by the BWP regional director.

(2) Out-of-School Projects

(a) 16 through 21 years of age; and,

(b) Unemployed; and,

(c) Out of school for at least three months of a normal school year and not planning to return to school, and in need of useful work experience; and, [3]

(d) A member of a family with annual income below the poverty line.

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[3] Project personnel may certify a youth for enrollment who has been out of school less than three months when convinced there is no reasonable expectation that the youth will return to school.

(Permission to waive (d), above, for a small proportion of project enrollees may be granted by the BWP regional director if special conditions appear to warrant such exception. In all cases, priority must be given to enrollees who meet all of the eligibility criteria.)

Note: A youth who is enrolled in a Title I-B Out-of-School project and attains the age of 22 may remain in the project if the sponsor deems it advisable. No youth, however, may remain beyond his 23rd birthday. A youth approaching his 22nd birthday at time of application for enrollment in a Title I-B project should be considered a candidate for referral to an appropriate adult program, if available in the area.

e. Poverty Index. The following table shall be used for determining family income below the poverty line.

Family Size	Income (Non-Farm)	Income (Farm)
1	$1,600	$1,100
2	2,000	1,400
3	2,500	1,700
4	3,200	2,200
5	3,800	2,600
6	4,200	3,000
7	4,700	3,300
8	5,300	3,700
9	5,800	4,000
10	6,300	4,400
11	6,800	4,700
12	7,300	5,000
13	7,800	5,500

Note: For persons from families with more than 13 members, sponsors may add $500 for each additional member of a non-farm family. Farm families income criteria will remain 70 percent of the corresponding non-farm families.

2. Additional Information Relating to Eligibility.

a. Definition of Terms. For purposes of these standards, the following definitions apply:

(1) --Family. A family consists of two or more persons living in the same household who are related to each other by blood, marriage or adoption. All persons living in one household who are related to each other are regarded as one family.

(2) --Unrelated Individual. An unrelated individual is a member of a household who is not related to anyone else in the household, or a person living in group quarters who is not an inmate of an institution.

(3) --Family Income. Family income is the sum of all money received by a family, from all sources. It refers to the sum of amounts reported separately for wage or salary income, self-employment income and other income.

(a) Wage or Salary Income. The total money earnings received for work performed as an employee. It is gross income. It represents the amount received before deductions for personal income taxes, social security, bond purchases, union dues, etc.

(b) Self-Employment Income. Net money income (gross receipts minus operating expenses) from a business firm, farm or professional enterprise in which a person is engaged on his own account.

(c) Other Income. Money income received from such sources as net rents, social security benefits, pension, veterans compensation, and periodic income from insurance policies annuities. It includes money received from public assistance, such as AFDC payments, but does not include payments made to enrollees under these programs.

(d) Low-income as used to determine eligibility for the Title I-B in-school program will generally mean eligibility within the BWP economic criteria, except that applicants from families receiving cash welfare payments, such as AFDC, will automatically be considered low-income.

(4) --Unemployed. Not working regularly, for remuneration in excess of twenty (20) hours per week.

b. Determination of Income

The income of an applicant's family shall be determined by annualizing the weekly or monthly income at the time the person is considered for enrollment. In instances where the head of household has been unemployed for a period in excess of 15 weeks prior to the date of the person's application any income from wages earned by the household head prior to unemployment will not be counted to determine the family income. If, however, the unemployment is the result of a seasonal occupation and the household head will return to work when the employment season begins, the income of the family shall be determined in accordance with the family income of the preceding year in which the person applies for enrollment.

If, at any time, a sponsor discovers that an enrollee was incorrectly determined to be eligible, the enrollment of that person must be discontinued immediately.

c. Certification of Income Data. It is not expected that sponsors will conduct investigations as to the validity of income reported by potential enrollees. Family income for BWP purposes shall be obtained by requiring that the enrollee indicate size of the family, amount of family income, its source and the occupation(s) of the income producing member(s) of the household. These data should also include certification by the sponsor that the income reported by the enrollee, or the enrollee's parent or guardian, appears reasonably reliable and conforms to the provisions outlined in the income criteria contained herein. Normally, members of families receiving welfare shall be considered eligible within the above stated economic criteria, except as noted for the Title I-B in-school program, when they will automatically be considered low-income.

d. Wards of Private or Public Agencies. Wards of private or public agencies who meet the income criteria are eligible for enrollment. If the parental rights have been severed by the court or if the income of the natural parents cannot be determined because their whereabouts are not known, a ward is automatically eligible for enrollment. The income of the family with which the ward is placed, except in the case of blood relatives, shall not be a factor in determining the youth's eligibility. When a ward is placed with blood relatives, sponsors must use their discretion in determining the economic needs of the individual.

e. Additional Members of the Same Family. Any number of persons from the same family may be enrolled in these programs. However, sponsors should determine the relative need of the additional individuals from the same family compared with other eligibles who might be available for enrollment.

f. Determination of Age. Prior to enrollment in a BWP project, a person not presently attending school in the ninth through twelfth grades, or its equivalent, must submit satisfactory evidence that he meets the age criteria established for the various BWP projects. Such evidence may consist of: a birth certificate, a baptism record, a bona fide record of the date and the place of birth kept in the Bible in which records of the family of the child are preserved, a parents', guardian's or custodian's affidavit of age accompanied by a record of the age as given in the register of the school he first attended or in the earliest available school census; or similar documentary evidence.

3. Non-Violence Clause. No person may be enrolled in these programs who has been convicted subsequent to November 7, 1966 in any Federal, State, or local court of competent jurisdiction, of inciting, promoting, or carrying on a riot, or any group activity resulting in material damage to property or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned.

B. WAGES AND ALLOWANCES

Enrollees in projects authorized under Title I, Part D and Title II, Section 205(d) and (e) of the EOA will be paid the legal Federal or State minimum wage or the prevailing wage for comparable work, whichever is highest, for all time spent in work or in approved supportive services.

Rates of pay for enrollees in Neighborhood Youth Corps projects will be no less than $1.25 per hour, except those off-shore areas with a history of FLSA exemption. The general objective for the out-of-school program will be to raise the hourly compensation rate to $1.40 during the agreement period. BWP regional directors are authorized to increase compensation rates for out-of-school projects as requested by project sponsors. Compensation rates for the in-school program should be established with ranges taking into account length of enrollment, type of job and other factors. For example, if non-school work assignments place enrollees in jobs in organizations which pay higher rates for comparable work, it would be expected that these enrollees would be compensated at the same rate as the out-of-school enrollee. If rates above $1.25 are being paid in an out-of-school project this will not, by itself, constitute justification for payment of a higher rate in an in-school project in the same area. The wage rate applicable to out-of-school projects in a particular area will also be applicable to summer projects in that area.

If permission has been granted to a sponsor to pay rates above $1.25, he should consider the positive effect of introducing these rates through periodic increments, such as five cents per hour based on an enrollee's performance, attendance or increase in skill level. In all cases, if wages are to be paid for supportive services, enrollees should be paid at the same rate as for time spent in actual work-experience.

In making determinations as to the appropriate wage to be paid in a Title I-B project, the applicability of federal or state minimums should be considered. The bulk of Title I-B enrollees (except for those working in WTI components) will not be in activities covered by the Fair Labor Standards Act at rates above $1.25. However, since state minimum wage laws frequently have broader coverage than the FLSA, in some cases, such laws may cover these youth. In some instances, these state minimums may be adjusted upward in the near future, above $1.25. As employers of enrollees, sponsors have an obligation to determine the applicable minimum rate and to pay that rate.

C. HOURS OF WORK

1. All enrollees in Title II, Section 205(d) and (e), Title I, Part D and Title I, Part B, out-of-school projects may engage in a minimum of 20 and, unless they are engaged in work on a project under the Federal Disaster Act, a maximum of 40 hours of activities each week. These activities will include an appropriate combination of work, training and supportive services. Generally, the goal will be 30 hours of work-experience and 10 hours of supportive services and training.

2. In-school enrollees in Title I-B projects, who are full-time students, may work a minimum of eight hours and a maximum of 15 hours each week including an appropriate combination of supportive services and/or training. During the summer months, however, they may engage in a minimum of 20 and a maximum of 40 hours of activities per week.

3. The number of hours of work per school week for in-school youth, who are below age 16 is fixed at eight hours. Deviations from eight hours will be approved only upon receipt of appropriate written justification. Such youth are subject to the provisions of 29 CFR 1500 Subpart C.

   Generally, the requirements of this section restrict 14 and 15-year-old enrollees to work (a) outside school hours, (b) not before 7 a. m. or after 7 p.m., (c) not more than 18 hours during the school week, (d) no more than 3 hours on a school day, (e) no more than 40 hours in a non-school week, and, (f) no more than 8 hours on non-school days.

D. WORKING CONDITIONS

Conditions of employment such as employee rights and benefits, physical facilities, safety and health precautions, standards of conduct and performance, and procedures for handling disciplinary problems and grievances must be adequate and reasonable in light of such factors as the age, experience and proficiency of the enrollees, the type of work performed and the objectives of the specific project.

Sponsors of work-training projects shall conform to all applicable Federal, State and local laws, regulations and rules.

In projects involving youth under the age of 18, the selection of work assignments will comply with applicable Federal and State Fair Labor Standards Laws. The restrictions in the Federal Fair Labor Standards Act, as they apply to youth under age 16, with respect to kinds and hours of work shall be observed by sponsors of In-School projects in which youth 14 and 15 years of age are enrolled.

1. Provision of Food or Lodging.

a. Sponsors may provide meals to enrollees as a fringe benefit and include the cost in the project budget, provided that this is a fringe benefit customarily provided to regular employees under similar circumstances. Since BWP requires that enrollees be paid solely in cash and not in kind, enrollee wages shall not be reduced as a result of receiving free meals or other fringe benefits.

b. Because programs under BWP administration are day-work programs, and not residential programs, the cost of lodging for enrollees is not an acceptable project cost. However, provision of food and lodging for a brief orientation period, as has been suggested in Neighborhood Youth Corps Technical Aid 5-65 relating to state-wide rural projects, or for other special limited or emergency circumstances, is not in conflict with the intent of the Act and therefore may be an allowable project cost.

2. Vacations, Holiday and Sick Leave. Pay to an enrollee for vacation time accrued or actually taken, sick leave actually taken, and pay for holidays not worked may be allowable costs provided such benefits have been approved as part of the work-training agreement. Agreements which contemplate such costs shall contain project specifications which describe the rate at which vacation and sick leave accrue, and name the holidays for which enrollees shall receive pay. Such costs shall be approved only where there has been a determination that they are reasonable and in accord with established policy and practice of the organization providing the worksite in those cases where policies on these matters have been established. If the sponsor is a newly formed organization and there is no established practice, the costs shall be reasonable and comparable to area practice for similarly situated sponsors.

3. Other Fringe Benefits. Health insurance premiums for coverage of enrollees during employment and other similar fringe benefits may be allowable costs of the project provided they are specifically approved in the agreement. Agreements which contemplate such costs shall contain descriptions of the coverage to be provided. Such costs shall be approved only where there has been a determination that they are reasonable and in accord with health insurance provided other employees in those cases where an employer has a health insurance plan. If the sponsor is a newly formed organization and there is no established practice, the approved fringe benefits shall be reasonable and comparable to area practice for similarly situated sponsors.

The cost of wage maintenance plans providing benefits because of working time lost due to unemployment or injury (other than required workmen's compensation coverage) and the cost of employer contributions to savings or retirement plans shall not be allowed as costs of BWP projects, except that unemployment insurance coverage required by State law is an allowable expense if provided for in the approved project budget.

E. PROJECT SPONSORSHIP

Work-training experience projects may be sponsored by Community Action Agencies, State or local public institutions or agencies of such institutions, private nonprofit organizations, other than political parties, or, with the exception of projects under Section 205(d), by private for-profit concerns. Such projects shall be sponsored by local CAA, unless: (1) The CAA chooses not to sponsor a proposed project; or, (2) The CAA fails to demonstrate affirmatively its capacity to function as a sponsor; or, (3) There is no CAA in the area.

All applicants for sponsorship must demonstrate their capability to plan and administer effectively a work-training experience project. In meeting this requirement, prospective sponsors must furnish evidence of their ability to develop organizational structures and management systems which will ensure efficient project operation and to recruit qualified staff. They must also provide assurances of financial responsibility and of their readiness to comply with the applicable provisions of Titles VI and VII of the Civil Rights Act of 1964 and applicable State Equal Opportunity legislation in every phase of activity related to the project.

1. Administrative Standards

In administering work-training experience projects, sponsors must, as a minimum, fulfill the following requirements in performing each of the functions listed below.

a. Recruitment and Selection

Provision must be made for maximum utilization of outreach techniques and for obtaining the cooperation of local communications media and public and private community organizations in establishing contact with eligible individuals. The racial and ethnic composition of the project shall be in keeping with the characteristics of the poverty population of the area served.

Selection of participants for these four programs will be concentrated, whenever practicable, in the community action target areas and will be planned and operated through the CAA utilizing the combined CAP neighborhood center - USES staffs or by special arrangements between the local community action agencies and the local Employment Service offices. These services are normally financed by the grants for the CAP neighborhood center and by the Employment Service and no portion of the funds allocated to the Department of Labor for these programs may be used to reimburse either agency except when it is found, consistent with program guidelines, that supplemental funding is essential in order to carry out the objectives of the programs.

The initial recruitment effort must be accomplished within a definite time schedule. The duration of this period may vary with the size and complexity of the project. Sponsors must demonstrate their ability to maintain project enrollment at authorized levels. Sponsors may exceed their authorized levels by not more than 10 percent if this can be accomplished without jeopardizing the project design and effectiveness and without exceeding authorized funding levels for the period covered by the agreement.

b. Determination of Enrollee Eligibility

All projects must incorporate in their operating procedures, a plan for validating and documenting the eligibility of enrollees.

c. Orientation of Enrollees

An orientation period of not less than one nor more than five days, depending upon the type and amount of material to be covered, must be provided for all enrollees to acquaint them with program objectives and their rights and responsibilities. Such topics as the development of proper work habits, cooperation with supervisors and fellow workers, personal grooming, vocational and educational planning, money management, payroll procedures and methods for settling civil rights complaints and grievances should be discussed and explained at these sessions.

d. Assignment to Work Stations

All projects must develop a system to ensure that enrollees, to the maximum possible degree, are assigned to work stations suited to their interests and abilities as evidenced by such factors as age, physical condition, educational level, aptitudes and future occupational plans. Sponsors must be able to justify, on the basis of test performance, counselors evaluations, or other substantial evidence, their reasons for assigning a particular enrollee to a specific work station. Sponsors are cautioned that race or ethnic origin may not be used as a basis to bar any enrollee from a particular work assignment. Integrated work experience for enrollees should be provided whenever possible.

e. Assessment of Progress

All projects must make provision for the periodic assessment of the progress of enrollees with respect to such factors as attitudes toward work, attendance, punctuality, performance on the job and vocational and remedial education courses. All enrollees must be evaluated periodically in writing by their counselors and supervisors or instructors.

f. Job Development, Placement, and Referral

Sponsors must establish procedures for promoting permanent employment or additional training opportunities for enrollees and for placing enrollees in job openings or training programs. All such procedures must include a provision for the initiation of job development and placement action, including intensive counseling in job seeking techniques, at least thirty days prior to the enrollee's anticipated termination date. In cases where the responsibility for carrying out these procedures rests with an organization other than the sponsor, certification of the willingness and capacity of that organization to do so, is required.

g. Termination of Enrollees

In order to permit sound planning in connection with recruitment, job development and placement, sponsors are required to institute procedures for maintaining current and accurate information on enrollees scheduled to terminate. These procedures should be designed to enable the sponsor to estimate reliably the number of enrollees to be terminated from the project in any given month.

h. Follow-Up

All sponsors of BWP projects will be required to cooperate with the Bureau in establishing procedures for maintaining contact with enrollees after their termination from the project.

Sponsors must develop procedures to evaluate all enrollees under the New Careers program (Section 205(e)) after each progressive step during their period of enrollment as well as at least one year after they have moved into permanent, unsubsidized employment.

i. Maintenance of Records

All sponsors must establish a central filing system. The system must be capable of providing complete financial information and such program information as the number of applicants rejected and the reasons for rejection; the documentation of the eligibility of active and terminated enrollees; the performance of individual enrollees in the project as evaluated by supervisors, instructors, and counselors; the extent of the participation of enrollees in remedial education, vocational training, and/or cultural enrichment activities; the dates of enrollment of individual enrollees and the characteristics of the enrollees, including age, sex, educational level, family size, and composition; work experience; race or ethnic origin; and physical or mental disabilities. In addition, the files of terminated enrollees must indicate the reason for termination and their post-termination status for a period of at least six months.

j. Self-Evaluation of Effectiveness

At intervals of six months or less, sponsors must conduct surveys of their operations and submit them to the BWP regional director to ensure that program goals are being achieved. This review should include an appraisal of the effectiveness of the project in improving the attitudes, educational levels, and employability of enrollees; analysis of the degree to which staff performance and management practices and procedures have contributed to or detracted from the attainment of these objectives; and, the development of a course of action designed to correct deficiencies uncovered as a result of the evaluation.

k. Application of the Hatch Act

Section 12 of the Hatch Political Activities Act of 1939, as amended, applies to those officers and employees of a State or local agency whose principal employment is in connection with federally financed activities. Such persons are prohibited from taking an active part in political campaigns that are identified with a national or State political party, such as the Democratic or Republican Party. The term "State or local agency" is defined by the Act to mean, "the executive branch of any State or of any municipality or other political subdivision of any such State, or any agency or department thereof." Violation of the Act may result in removal from one's position.

Employees of educational and research institutions or agencies, or systems, are exempted from such political prohibitions.

For additional information, write to: Office of the General Counsel, United States Civil Service Commission, Washington, D.C., 20415. Copies of CSC Form 1982a (Appendix "B") are to be displayed conspicuously for the benefit of all enrollees and staff. Additional copies may be obtained from the Civil Service Commission, Washington, D. C.

2. Grievance Procedures

All sponsors must advise enrollees of their rights and obligations under these programs and inform them of the procedures for filing and adjusting grievances.

a. Scope of Grievance Procedure

(1) Procedures for processing complaints of discrimination on grounds of race, color, creed, or national origin described in Chapter IV of the Neighborhood Youth Corps Program Manual, will be used for all BWP projects.

(2) In addition, all sponsors must comply with the procedures for advising enrollees and processing grievances regarding such matters as compensation, wages, hours, training allowances, work assignments, disciplinary action including dismissal, prescribed herein below.

b. Grievances on Compensation

Any enrollee who believes himself to be the subject of differential, irregular, or illegal action regarding matters of compensation may file a complaint in writing not later than 90 days from the date of the alleged action. Such complaints may be filed by the enrollee or by his duly accredited representative.

c. Processing Grievances

(1) Responsibilities of Sponsors

All complaints filed with sponsors will be processed at that level. A copy of the complaint must immediately be forwarded to the BWP Regional Director, through the field representative. Within 15 days following initial receipt of the complaint, the sponsor must complete the investigation and submit to the complainant and the BWP Regional Director, a written report of the investigation, his findings, and any action he has taken. The Regional Director shall either concur in the findings or proceed to conduct his own investigation, which must be completed within 10 days of receipt of the sponsor's report. If the Regional Director concurs in the sponsor's report, he will advise the Deputy Administrator, Bureau of Work Programs of the nature of the complaint and the action taken.

If the Regional Director does not concur in the sponsor's report, he shall conduct an on-site investigation of the complaint and submit to the complainant and the Deputy Administrator, Bureau of Work Programs, a written report of his findings and any action he has taken. This report must be submitted within 15 days of receipt of sponsor's report.

(2) Responsibility of Deputy Administrator in Reviewing Grievances

If the Deputy Administrator approves of the findings of the Regional Director, he shall note his concurrence and so advise the complainant. If the Deputy Administrator does not concur in the findings of the sponsor and the Regional Director, he shall take such action as he deems appropriate and advise the complainant, sponsor, and the Regional Director.

d. Legal Advice

Regional directors may request legal advice from the Regional Attorney concerning grievances.

3. Staffing Standards

As additional evidence of their suitability to conduct a work-training experience project, prospective sponsors must develop a project staffing pattern, which will include a detailed description of the duties of each position and justify the need for a staff of the size and levels of competence indicated in the staffing pattern, based upon such factors as the administrative workload in relation to project enrollment and budgetary levels, ratios of supervisors and instructors to enrollees, the types and volume of supportive services to be provided, and the characteristics of the population to be served.

Sponsors must also establish minimum standards of qualification for project personnel concerned with such functions as program planning and direction, fiscal administration, counseling, on-the-job supervision, and clerical support in accordance with the following. Racial and ethnic composition of the project staff shall be in keeping with the characteristics of the poverty population of the area served.

a. Project Directors and Deputy Directors

Because the duties of project directors and deputy directors are primarily administrative in nature, recruitment for these positions should be limited to individuals who, either by experience or education, have clearly demonstrated administrative ability. Experience in directing an organization and its work program, either in private industry or public agencies, which indicates capability in such functions as planning, organizing, staffing, supervising, coordinating, reporting, and budgeting is of prime importance. Successfully completed education at an accredited college or university, with major study in public administration, business administration, economics, personnel administration, industrial management or relevant fields and included course work related to administrative or management activities, may be substituted for practical experience.

For projects with enrollments of 250 or less, project directors and deputy directors must have acquired at least five years of progressively responsible practical experience, at least one year of which must have involved the performance of duties at a level of difficulty generally comparable to that required of administrators of public or private institutions managing organizations and budgets of similar size and complexity or must have successfully completed four years of university level study. A combination of appropriate education and experience, i.e., completion of two years of university level study in addition to two years of practical experience is also acceptable. For projects with larger enrollments and/or more complex organizational structures and operating procedures, requirements will be scaled upward accordingly. However, directors and deputy directors of projects with enrollments of 1,000 or more must have acquired at least ten years of responsible, practical experience and/or education. At least one year of experience must have involved the performance of duties at a level of difficulty generally comparable to that required of administrators of public or private institutions managing organizations and budgets of similar size and complexity.

In a sponsor cannot obtain a project director who meets these standards, he may secure as project director an individual who has given evidence of sufficient aptitude and capacity to perform this function in a satisfactory manner. In cases where this is the last alternative, sponsors must exercise extreme care in selection and must thoroughly document their reasons for making the selection.

b. Fiscal Officers

The qualifications required of staff members responsible for financial control must correspond to those that would be required in a similar position in an industrial corporation or other institution managing a budget of comparable size. Sponsors of projects funded by the Federal Government in amounts of $1,000,000, or more, must have an accounting head with a minimum of a degree in business administration and at least five years of practical experience as a controller or head of a major accounting group within the accounting department of an industrial, financial, governmental or non-profit institution.

These requirements may be scaled downward for small organizations. As a minimum requirement for the smallest projects, however, the head of the accounting operation must be an experienced bookkeeper, capable of maintaining a complete set of accounts and supporting records and files, drawing off trial balances, preparing financial statements and maintaining payroll records, including the required returns to the Federal, State and local governments. In cases where the sponsor elects to have accounting services provided by a certified public accountant or bookkeeping service organization, the degree of proficiency of the head of such an organization must be comparable to that required of a sponsor's accounting head.

c. Counselors

Individuals appointed to these positions must either have completed a full four-year course at an accredited college or university leading to a bachelor's degree in vocational counseling, sociology, psychology, or an allied social science curriculum or, in addition to the completion of a full four-year course at an accredited college or university leading to a bachelor's degree in a curriculum other than those outlined above, one year of experience which demonstrates an interest in and a knowledge of the special problems of the disadvantaged. Such experience may include, but is not limited to, comparable work done while in service with the Peace Corps, VISTA, and similar programs. Unpaid volunteer work, such as tutoring culturally deprived children or involvement in service club activities to aid the underprivileged may also be counted as qualifying experience, provided that it was performed for a minimum of five hours per week for a period of not less than one year.

In addition, sponsors may employ as counselors persons who lack the educational qualifications set forth above, provided they have clearly demonstrated the interest, aptitude and capacity to perform this work as evidenced by paid or volunteer experience with organizations furnishing social services to the disadvantaged. In cases where this is done, sponsors must exercise extreme care in selection and must thoroughly document their reasons for making the selection.

d. Work Supervisors and Instructors

Selection of personnel to supervise enrollees must be confined to persons who, for a period of at least one year, have demonstrated their knowledge in the occupations in which work training experience is to be given. In addition, but of equal importance, the individuals chosen for these positions must possess the patience, understanding and other personal qualities to enable them to deal effectively with adults and youths who are inexperienced, unskilled, undereducated, and, often, unmotivated.

e. Training for Trainers

It is recognized that in projects funded under Section 205(e), in particular, trainers of enrollees will require special training with regard to the specific needs of project enrollees and the job requirements ensuing from the creation of new job classifications. The project proposal shall contain a detailed plan for training the trainers. Project funds may be used to pay the cost of training the trainers and for reimbursing employers for any costs incurred in training project enrollees.

f. Reimbursement for Providing Supervision

In projects funded under Section 205(e), job related training shall be the responsibility of the agency providing the worksite and the length of such training shall be specified in the project proposal. Employers may not be reimbursed out of project funds for supervising project enrollees beyond the time period specified in the proposal, as approved by BWP, for training project enrollees.

g. Clerical Personnel

The qualifications of clerical personnel serving on the project staff must correspond to those required of employees performing equivalent duties in other private and public organizations in the area in which the project operates.

All sponsors must certify that they are capable of employing personnel meeting the qualifications set forth above and must develop a plan for the recruitment of project staff. The plan must include a time schedule for the completion of this phase of the project, together with a description of the methods to be utilized in its accomplishment.

Sponsors must also devise a plan for the orientation of all staff members, including work supervisors and instructors, in the objectives of the project and in the duties and responsibilities of their positions. A system for the continuous in-service training of the staff should also be instituted.

4. Staff Salary Standards

Salaries of project directors charged as a cost to a BWP project shall not exceed $15,000 per year. The cost to the contract of the salaries of subordinate staff members must be scaled downward from this limit commensurate with the degree of responsibility assigned to their positions.

Persons employed as staff members of BWP projects shall be paid at a rate comparable to the average rate for similar services in the area where the project is being conducted or at a rate comparable to that provided for similar services in the area of the employee's most recent employment, whichever is higher, but no less than the Federal or state minimum wage rate.

For those staff positions with salaries exceeding $6,000 a year, no person shall be employed at a rate of compensation which exceeds, by more than 20 percent, the salary he was receiving in his immediately preceding employment unless the BWP regional director has authorized an exception in writing. In determining salary in preceding employment for persons regularly employed for a period of less than 12 months a year, the salary shall be adjusted to an annual basis.

F. MAINTENANCE OF EFFORT

All project sponsors shall be prepared to show (e.g., budget request) that local and non-Federal contributions to a project's total funding represent a net increase over such expenditures made for similar purposes during the 12 months prior to the initial application for such a project and that the project, if funded, will not substitute for or reduce on-going program activities or the total local and non-Federal funds previously provided for such activities.

In addition:

1. All project sponsors shall be prepared to show (e.g., budget request) that employers participating in such projects will not use project funds to directly or indirectly reduce the number of jobs and/or related wage and salary scales, which existed prior to the funding of the project.

2. Sponsors of projects under Section 205(e) shall provide evidence from employers participating in the project in the form of written commitments and other documentation (e.g., State and local government budget requests for government salaried personnel) that the employers will maintain at least the same number of jobs which are supported, in whole or in part, out of project funds (with the same or similar job specifications) after termination of the project and that such positions shall be maintained at the same or a higher wage rate.

G. PROJECT DESIGN

Sponsors must determine, on the basis of current and accurate information, the size and composition of the population to be served and the incidence of poverty, unemployment and underemployment in the area. Statistical evidence furnished by applicants in satisfaction of this requirement must be derived from the most recent and reliable sources.

Sponsors must also demonstrate that they are capable of establishing channels of communication with the target population through the utilization of the facilities of community organizations, communications media, outreach techniques, and other means.

Sponsors must submit evidence that coordination has been established with all appropriate public and private agencies in the area in which the program is to operate. The participation of private industry and organized labor is encouraged. In meeting these requirements, sponsors must carefully survey the availability of services provided by all community organizations and supply documentation of the degree to which their efforts will be coordinated with these groups.

CAA sponsors must conform to CAP memorandum #57, in assuring that representatives of the poor participate in the planning and development activities connected with Title II projects.

1. Criteria for Selection of Area

a. Geographic Area

Wherever possible, work-training experience projects will be designed to meet the needs of specific geographic areas. In selecting the area to be served by the project, the prospective sponsor has an obligation to make a selection without any intent to discriminate. This means that the area served must be selected on the basis of economic need and that boundaries may not be drawn to exclude minority groups. Proposals for work-training experience projects will:

(1) derive from an extensive study of the area;

(2) be related to an especially large concentration of poor and low-income persons in that area and to their needs;

(3) provide employment and work-experience training for as many residents of the area as feasible; and

(4) be based on current and accurate information concerning the size, composition and relevant characteristics of the population to be served. Statistical evidence furnished by applicants must:

(a) be derived from reliable sources, e.g., Bureau of Labor Statistics, Department of Labor; local Employment Service offices; local utility companies;

(b) be identified as to source, date, reference period covered by the data; and,

(c) be based upon the latest available data.

(5) indicate precisely which area is to be served, specifying its geographic limits by a map with appropriate references.

b. Accessibility

Where a project is to be closely related to the needs of a specific area, the size of the area may vary from a social planning unit to an entire metropolitan community, if the following standards as to accessibility are met:

(1) In urban areas, project staff must be able to traverse from project headquarters to most distant point of area served via public or private transportation within one hour's time. In rural areas, the area selected must permit project staff to travel to most distant work site within one and one-half hour.

(2) Potential enrollees must be able to travel from residence to work training site or reporting location via public transportation within one hour's time in urban areas, and one hour and one-half in rural areas. Where adequate public transportation may not be available, the sponsor may provide the necessary transportation for enrollees.

Location of work-site must be within one hour's time from location of supportive services facilities.

Note: If the particular project is not paying enrollees for time spent in non-work activities, the time spent in transportation from a reporting location to a distant work site shall be considered working time for the purpose of computing wages and maximum hours of work, wages must be paid enrollees for time spent in such special transportation but not for normal commuting time from home to reporting location. The cost of enrollee wages for time spent in special transportation will be an allowable cost to the project budget up to a limit of two hours per day in urban projects and three hours per day, round trip, in rural projects.

This rule does not imply that enrollees' travel time beyond these limits may be uncompensated. Sponsors are discouraged from developing projects where more travel is required. If they choose to do so anyway, enrollees shall be compensated for all travel time, but the compensation for time in excess of these limits shall be made from sponsors' funds outside the project budget (i.e., outside the sponsors' share).

Exceptions to this policy may be permitted only if sponsors present convincing evidence to support such exceptional cases. For example, enrollees' compensation for travel time in excess of these limits may be approved as an allowable cost to the project budget in instances where the area from which the enrollees are drawn is sparsely populated, and it is otherwise common practice to travel excessively long distances to and from work or school sites.

(3) Sponsors must submit evidence of capability to serve the area in an effective manner, taking into consideration the size of project staff in proportion to size of geographic area.

(4) Costs of public or private transportation utilized by enrollees and project staff traversing the area must be just and reasonable.

2. Duration of Contracts and/or Grants

With the permission of the Administrator, BWP agreements may be executed for more than one year. In no event, however, may such agreements carry a termination date that is later than the last day of the fiscal year following the fiscal year in which they are executed.

3. Distribution of Project Costs

a. Project Financing

(1) Federal costs (funds administered by BWP) shall not exceed 90 percent of the total costs of any work-training

experience project, unless the Administrator determines that Federal assistance in excess of such percentages is required.

(2) Costs of supportive services are allowable, if funds for such services are not available from other sources. Documentation of non-availability of supportive services from other sources must be provided in all cases.

(3) Not less than 65 percent of the Federal costs (BWP funds) of projects subject to these standards, excluding Title I-D, WTI components of Title I-B, and Title II, Section 205(e) projects, shall be used for enrollee wages, allowances, and related fringe benefits.

(4) Not more than 35 percent of the Federal costs (BWP funds) of projects subject to these standards, excluding Title I-D, WTI components of Title I-B, and Title II, Section 205(e) projects, shall be used for training, supervision, counseling, basic education, other supportive services, approved administrative and over-head costs, and materials and equipment required for training or work, and transportation.

EXCEPT THAT: Not more than 10 percent of the Federal costs (BWP funds) of projects shall be used for materials and equipment to be utilized in work-training and experience activities. Within this limit, the policy will be to allow as a cost to the agreement, only that portion of materials which is attributable to enrollee wastage.

(5) Projects under Title II, Section 205(e) shall, where feasible, fund enrollee salaries from other than monies appropriated for this program, e.g., the Elementary and Secondary Education Act, Medicare, Welfare, etc. Project proposals which contain evidence of commitment of funds from such other sources shall receive priority in consideration for approval.

(6) No funds under Title II of the EOA may be used to finance general education. This has been interpreted to mean that projects under Title II, Section 205(e), in which enrollees will be employed in any job normally associated with the provision of public instruction (e.g., teacher aides, librarian aides, nurses aides, etc.), project funds may be used to pay the cost of training and supportive services, but shall not be used to pay the cost of salaries.

(7) In the procurement of non-expendable items of equipment for use in these programs, purchase, leasing and lease-purchase arrangements may be used. Costs under all such arrangements must be just and reasonable. Sponsors must be prepared to show that the arrangement used is the most economical and in the best interest of the Federal government.

4. Period of Enrollment

a. Needs of the Individual

The period of enrollment for an individual will largely be governed by his educational level and degree of employability and the nature of the occupation in which work-training experience is given. Sponsors must justify on the basis of the inability of the enrollee to obtain permanent unsubsidized employment or the unavailability of another, more appropriate, training program to which he might be referred, the retention of an enrollee in a given project for more than one year. This justification shall be submitted in a report to the BWP regional director at the time the sponsor decides such continued enrollment is necessary.

b. Annual Review - In-School Enrollees

The eligibility of enrollees in In-School projects authorized under Title I-B must be reviewed annually by the sponsor.

c. Maximum Duration

(1) Enrollment in projects authorized under Title II, Sections 205(d) and (e) and Title I-D shall not exceed a period of two years, except as approved by the Administrator.

(2) Enrollment in Out-of-School Title I-B projects shall not exceed two years. Further, the period of enrollment shall not exceed six months for school drop-outs unless they attend and maintain satisfactory progress for a minimum of six hours a week in any one, or a combination of the following types of programs:

   (a) A night school course leading to a high school diploma or high school equivalency certificate.

   (b) A special remedial program designed to correct educational deficiencies.

   (c) A pre-vocational or enrichment program intended to prepare enrollees for entry into specific types of work-training experience projects.

   (d) A vocational training program involving either institutional instruction or joint enrollment in another training program.

(3) Enrollment in Title I-B in-school projects may continue until high school graduation.

5. Maximum Period of Support for Jobs Under Section 205(e)

Jobs created for project enrollees by Section 205(e) projects shall not be supported with project funds beyond a period of 2 years, except as approved by the Administrator.

6. Work Assignments

a. Assignment of Enrollees

Work-training should provide enrollees with realistic employment prospects upon completion of enrollment. Sponsors should ensure that a demand exists within the community for workers in occupations related to the work-training experience to be given.

Whenever possible, all projects must be designed to qualify enrollees for permanent, full time, non-subsidized employment in occupations which offer opportunity to advance to higher levels of skill. Sponsors must insure that the specifications for the jobs in which training is to be given are clearly established and that training meets the specifications.

Sponsors must certify that proposed work-training experience projects are coordinated with other training projects planned for or operating in the same community. Training for jobs which are likely to be eliminated by foreseeable technological changes is not appropriate for work-training experience programs. A pattern of assignment of minority group enrollees to the least desirable job classifications will be considered to be a violation of Title VI of the Civil Rights Act of 1964.

Sponsors must develop a system to ensure that all enrollees are assigned to work stations suited to their interests and abilities as determined through the pre-placement counseling process and by subsequent experience, and be able to justify each particular work-training assignment. Rotation of enrollees among various work stations is encouraged for evaluation and training purposes.

In situations where enrollees require basic education as part of pre-vocational instruction, sponsors should arrange to provide such instruction, either full or part time.

b. Limitations on Projects in Religious Institutions

No enrollees employed at a work station which is a component of a sectarian or religious institution will be employed in the construction, maintenance, care, or operation of so much of any portion of such facility used, or to be used, for sectarian instruction or as a place of religious worship or in any secretarial, clerical, maintenance, or tutoring assignments involving to any extent, sectarian activities or duties. Additionally, no enrollees employed in any capacity at any work station will be employed in any position or activity which will release or free any other person or employee for the performance or rendering of such duties.

(1) Work Assignments. Enrollees assigned to jobs such as kitchen and cafeteria helpers and caretaker helpers on a football field or the general grounds of the institution would normally not appear to be working contrary to the provisions of the statute. The same is true of janitor helpers, secretarial and clerical helpers, and library and office assistants when the work in which they are engaged in no way involves the operation of maintenance of any portion of the establishment in which sectarian instruction or the affairs of the religious institution

are conducted. For example, an enrollee may not be assigned to general clerical work in the principal's office of a sectarian institution but he may perform tasks such as typing physical education schedules or preparing school lunch menus, which are specifically related to the non-religious aspects of the school program. Enrollees may be utilized as teacher aides for subjects such as mathematics and business courses, but may not be used for subjects such as English literature or European history if they are taught with a sectarian content or perspective.

Regardless of the enrollee's own activity, the work must not result in the release of funds or personnel for religious purposes. When an enrollee takes over a function formerly performed by an employee in order to release the employee for other duties, it must not be religious duties, in whole or in part. This rule shall apply even though the person so released is not directly involved in the project.

(2) Facilities. In a school which has a sectarian instruction purpose, an enrollee can work on maintenance only in those facilities which are used exclusively for non-sectarian activities. Acceptable would be maintenance of the gymnasium, lunch room and playground. Unacceptable would be maintenance of a chapel, of classrooms which are used at times for religious instruction or religiously-oriented teaching, or of the heating system which serves the sectarian-related facilities as well as the non-religious facilities. Religious symbols and sectarian identification should not be present in facilities renovated or rented in whole or in part with funds from the project budget. If used, such symbols and identification shall be at a feasible minimum. It is not necessary, however, to remove religious identification or symbolism solely because some project activity occurs in a facility used primarily for other purposes.

(3) Other Sectarian Agencies. Some sectarian agencies such as hospitals, settlement houses, or casework agencies, perform primarily non-religious functions. Enrollees may be assigned to general work situations in these agencies if services are provided on a non-discriminatory basis. Thus, in a church-related community hospital, an enrollee may work in the administrative or business office, as well as in-patient services. He may not, of course, perform any tasks which are directly related to a religious service.

(4) Selection of Enrollees. Admission to a project operated by a sectarian sponsor shall not be based directly or indirectly on religious affiliation or on attendance at a school or membership in an organization which has a restrictive religious requirement for such attendance or membership.

(a) A sectarian agency is eligible to operate a BWP project if its selection of enrollees for the project is completely non-sectarian.

(b) A sectarian school's project for Title I-B in-school enrollees shall not be limited to students of the sectarian school.

(c) As part of a larger project, a Title I-B prime sponsor may subcontract with a sectarian school to serve needy youth who happen to attend that school as long as religious affiliation is not a requirement for school attendance.

(d) Participation in a project shall not subject the enrollee to either requirements or persuasion, direct or indirect, to enroll in a sectarian school if such enrollment involves participation in or payment for religious services.

(5) Staffing. Religious affiliation shall not be a factor in the selection, placement, or promotion of staff who are directly involved in the operation of a project sponsored by a sectarian organization. This shall not, however, extend to employees of the sponsoring organization who are neither paid for in part or in full by project funds nor listed as project staff.

(a) All staff positions for which salaries or wages, in part or in full, are included in the project budget specified in the project agreement are subject to this requirement.

(b) When staff services are donated to the project and are not included as part of the project costs, including the sponsor's matching share, the staff performing such services shall be considered project employees.

(6) Training Content. BWP projects under sectarian auspices must not involve sectarian instruction or religious worship or practice, and they must be separate from any program which involves these activities. Participation in a BWP project shall not be used as a means of including participation in sectarian or religious activities or of recruitment for sectarian or religious institutions.

(a) An enrollee shall not be required or persuaded to attend a religious service or course of religious instruction as a condition of his enrollment or as a component of the project.

(b) Religious literature shall not be distributed to an enrollee or a personal approach made to him for religious purposes during his hours of participation in the project or as a result of his enrollment in the project.

c. Limitations on Work Assignments

Placement of enrollees in work stations must be free of any direct or indirect discrimination based on racial, ethnic or religious grounds. Geographical limitations which are physically surmountable cannot be used to foster separation based on racial, ethnic or religious grounds. Only those worksites, which are free of any taint of discrimination should be developed.

Sponsors must certify that enrollees will not be assigned to work stations if this will result in the displacement of already employed workers or impair existing contracts. This includes "partial" displacement, which is defined as occuring when the utilization of enrollees seriously affects the normal wages and hours of workers presently employed in the same activity.

Where work-training experience is being furnished to enrollees by a private for-profit organization, the organization providing such work-training experience must certify that it has not moved from any previous location within a one-year period prior to the date on which work training is scheduled to begin and that it is not a branch, affiliate or subsidiary of a business entity which, at any time within that period, relocated or expanded so as to cause an increase in unemployment or the closing down of operations in any other geographic area in which it conducts its operations.

In all applicable cases sponsors shall document the provision of realizable opportunities for the trainees to become members, with full rights and privileges, of any labor union holding or seeking a collective bargaining contract with the agency providing the worksite.

7. Supportive Services

In order to increase the employability and enhance the opportunities of enrollees for permanent job or career positions in the public and private sectors of the economy, the sponsor must submit a clearly defined plan for the provision of supportive services for participants.

These supportive services must incorporate three basic, interrelated elements: (a) the development of occupational competence through basic education and remediation in reading, writing, oral communication and arithmetic skills, and through job-related education and training; and, (b) exposure to and assistance in adjusting to the demands of work, through counseling capable of developing realistic and positive work attitudes and habits; and, (c) assistance in dealing with personal, family and social problems through a wide range of counseling, guidance, medical and social services.

Since the degree of effectiveness of projects will depend heavily upon the quantity, diversity and quality of supportive services which are provided, it is imperative that these services be of the highest possible quality. The quality of projects will be effected by the kinds, amounts and availability of services and staff, and the type of administrative support and control provided.

Supportive services may include, but not be limited to, basic and remedial education, counseling, enrichment, medical examinations, and other forms of assistance designed to improve the educational performance of enrollees, increase their employability, and prepare them to the maximum extent possible for the work stations or occupations they will fill upon completion of enrollment.

The kinds and quantities of supportive services provided shall be adequate to meet the specific needs of the concerned enrollees and to prepare them for the jobs in which work-training experience will be provided.

Sponsors must plan maximum flexibility in the provision of supportive services at a convenient time, and in an appropriate place, for as long as is needed to resolve those problems which detrimentally affect his training and employability. The enrollee should be provided all the services he needs, and be permitted to move at his own pace through these services towards objectives which are meaningful for him. Also, each enrollee must be permitted to avail himself of services without undue jeopardy to his work-training, education, or family relationship. The physical facilities used must be appropriate for the provision of a given service and located where the enrollee can maximally avail himself of the services. Convenience to the enrollee must be among the foremost considerations in counseling and educational activities.

a. Basic Education Services

The importance of basic education services is readily apparent. The individuals to be served by work preparation and training projects cannot be expected to compete for and hold permanent jobs without sufficient training, or to succeed in such training (even for entry-level and semi-skilled jobs) unless they acquire basic literacy and other educational skills. Basic education should emphasize basic literacy and mathematical skills, remedial reading and speaking, vocational education, and basic instruction in social, economic and civic matters.

Basic education services should be designed to correct educational deficiencies and to raise each enrollee up to at least an 8th grade level in reading, writing, and arithmetical skills.

b. Counseling and Guidance

Counseling and guidance provide encouragement and assistance in personal, social, economic and vocational adjustment. Vocational aspects of counseling and guidance should introduce the enrollee to the social and vocational demands of a job, help him to develop job finding skills (e.g. job application procedures, interview behavior), and help him to successfully complete his enrollment in the project by providing continuing support and guidance after placement. Therefore, the following minimum standards apply:

(1) Professionally recognized methods and techniques should be employed and directed toward the objective of encouraging school attendance and educational achievement, increasing employability, assuring vocational adjustment, promoting and assisting enrollees to become competent and self-sufficient contributing members of their communities;

(2) Both group and individual counseling and guidance should be available to each enrollee, as required;

(3) When work stations are widely dispersed, mobile units should be used, when possible, to provide counseling and guidance;

(4) Counselors should visit their enrollees at the work sites at least once per month in order to establish and maintain liaison with work supervisors and to follow the progress of individual enrollees;

(5) In projects with over 20 enrollees, sponsors shall assure that at least one of the counselors has formalized training as represented by either a degree or a certificate from an accredited educational institution;

(6) Counselor case loads shall be maintained at levels at which full service can be provided each enrollee;

(7) Tests are to be selected, administered and interpreted only by counselors who are trained in the use of the specific tests used; and

(8) Records must be established and maintained for each enrollee to provide timely, significant, and confidential data for use by personnel with a "need to know" working with the enrollee during his enrollment and in follow-up. Counseling sessions should be reported by date, length and content.

c. Health and Medical Services

Many enrollees have a variety of health and medical problems. Poverty and environmental deprivation often result in a history of poor diet and nutrition; inattention to, or absence of, proper habits in personal hygiene; long-term medical neglect; and mistrust or unfamiliarity with proper health and medical care procedures and treatment. Enrollees may need medical examinations for infectious diseases, physical impairment and defects in vision, hearing or speech, innoculation and preventive medicine, medical treatment, dental care, mental health services, and basic instruction and assistance in matters of personal hygiene and diet. Sponsors should, therefore, arrange for the provision of a comprehensive health examination upon enrollment into the project. Medical care and other related services should be obtained from other sources such as Neighborhood Health Centers, when available.

d. Transportation

In many rural and some urban areas, public transportation is inadequate. Where this is the case, sponsors are required to develop a plan for ensuring necessary transportation resources to enable enrollees to travel to and from the work sites to which they are assigned. In this plan, sponsors may include such arrangements as the rental of buses to transport enrollees from central pickup points to work sites or the establishment of car pools with provision for reimbursement of travel costs. In all such arrangements, sponsors shall provide appropriate insurance coverage for enrollees in the event of death or injury incurred as a passenger or driver.

e. Other

Arrangements should be made to provide other supportive services such as legal or family planning services day care, when necessary, from other existing resources.

8. Linkages with Projects Funded Under Other Programs

Wherever possible, sponsors must also plan and administer their projects in coordination with other related programs operating in the same geographic area including but not limited to:

a. CAA Comprehensive Manpower Programs (including programs providing supportive services under EOA, Section 205).

b. Adult Education Programs under the Elementary and Secondary Education Act.

c. Manpower training projects under the Manpower Development and Training Act (MDTA).

d. Projects under the Highway Beautification Act.

e. Projects under the Open Space Land, Urban Renewal, Community Facilities, and Model Cities Programs.

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III. PROMOTION, DEVELOPMENT, AND COORDINATION OF PROJECTS

It is the responsibility of the Bureau of Work Programs to promote and coordinate the development of work-training experience projects through its field representatives and the local Community Action Agencies. All project proposals will be developed by Community Action Agencies, as sponsors, except as provided in Part IV hereof. All project proposals will be submitted to the Bureau of Work Programs and be considered in light of local needs, the plans and guidance of the local CAA, and area manpower plans.

A. FUNCTIONS AND RESPONSIBILITIES OF FIELD REPRESENTATIVES

Field representatives shall:

1. Plan for, promote, advise on, and assist in the execution of specific work-training experience projects designed to alleviate unemployment and other related social problems of the community which bear on the employability of its residents.

2. Meet with CAA's and other potential sponsors to explain program requirements and policies, and to provide assistance in the development of project proposals.

3. Provide technical assistance to sponsors on all aspects of project planning and implementation, and promote cooperative relationships which will provide maximum utilization of all available resources.

4. Review the recommendations of the local manpower coordinating committee.

5. Analyze proposals in light of local work-training experience program needs, establish priorities and available funding sources and submit them in accordance with the provisions of Part IV hereof, to the appropriate Regional Office of the BWP.

6. Negotiate changes in sponsor's proposals, as appropriate, on instructions from the Regional Office and re-submit them for consideration.

7. Monitor sponsors' performance, insuring compliance with program policies, guidelines, agreement provisions, and sound administrative practices including compliance with the Civil Rights Act of 1964. Review and appraise financial and reporting procedures; nature and quality of instruction; quality and sufficiency of training facilities, equipment and personnel; quality of project leadership; degree of enrollee satisfaction and progress; effectiveness of supplementary instruction, basic education and vocational guidance; compliance with contracts; and effectiveness of overall activities in meeting program objectives.

8. Provide appraisals to sponsors and Bureau officials as to project progress, achievements, deficiencies, etc.

9. Represent the Bureau as technical liaison with local officials concerned with Bureau activities, including the local Manpower Coordinating Committees.

10. Confer with interested individuals and organizations with a record of involvement in the problems of the area and of the poor individuals residing therein, for the purpose of further acquainting them with the objectives and methods of work-training experience programs and of stimulating participation in the development of area projects.

Field representatives shall also submit comments regarding the overall conduct of projects for which they have assigned responsibility, summarizing highlights, special accomplishments, problems, etc.

B. REVIEW OF PROJECTS

1. Field offices shall:

   a. Review project proposals for:

      (1) Completeness

      (2) Technical accuracy

      (3) Need for Training

      (4) Adequacy

      (5) Reasonableness of cost estimates

      (6) Overall compliance with the objectives and requirements of the Economic Opportunity Act of 1964, as Amended, and relevant regulations and procedures promulgated pursuant thereto.

      (7) Adherence to budgetary allocations

      (8) Financial responsibility of the sponsor and its capacity to carry out the terms and conditions of the proposed agreement.

   b. Negotiate changes to the proposal, as appropriate.

   c. Ensure compliance with checkpoint procedure (Part IV, hereof).

   d. Forward proposals with recommendations to the Regional Office, Bureau of Work Programs.

e. Confer with representatives of the Bureau of Apprenticeship and Training on proposed WTI components to Title I-B projects as prescribed in Part V hereof.

2. Regional Offices shall:

   a. Review recommendations of field representatives.

   b. Refer project proposals to the regional attorney for review for legal sufficiency.

   c. Review project proposals for:

      (1) Program content.

      (2) Overall capacity of sponsor to carry out terms and conditions of the proposed agreement.

      (3) Adequacy of the agreement.

      (4) Adherence to budgetary limitations set by the National Office.

      (5) Civil rights compliance.

   d. Assure compliance with checkpoint procedure (See Part IV, hereof).

   e. When estimated cost of project exceeds $500,000, forward proposal and recommendations to the National Office for appropriate action.

   f. When estimated cost of project is less then $500,000 take appropriate action.

   g. If the proposal is disapproved, prepare and forward notice of non-approval to applicant and OEO Regional Office.

   h. If the proposal is approved, notify National Office, Bureau of Work Programs, Regional Office of OEO and applicant of approval.

   i. Assign an identification number to the approved project in accordance with the following:

      (1) The first component of the identification number will indicate the type of project.

R = Title I-B (I-S, O-S or any combination thereof)
(Combinations may include Summer.)

V = Summer project only
M = Operation Mainstream
N = New Careers
P = Special Impact
E = E & D projects funded with E & D funds
L = E & D projects funded with project funds

(2) The second component is a one-digit designating the regional code.

(3) The third component is a serial number comprised of four digits. The left single digit indicates the fiscal year. The last three digits indicate the serial number of the project.

(4) The fourth component is the two-digit State code.

(5) Multi Region, Multi State projects will be assigned identification numbers as follows:

--Multi State, Multi region projects will be assigned the number of the region to which the project is assigned. The project number following the fiscal year number will commence with 9, and the number 99 will be shown in the position of the State code (Example: M7-7901-99).

(6) Multi State projects in a single region will be assigned identification numbers exactly the same as for multi State multi region projects except the number in the position of the State code will show the number 89 (Example: M7-7901-89).

(7) Example of identification number:

Type	Region	FY & Serial	State
R	7	7001	32

j. Prepare the following documents:

(1) Appropriate agreement

(2) Request for Governor's waiver

(3) Request for Congressional announcement date

k. Forward the following documents as required:

(1) Agreement to sponsor for signature

(2) Request for Governor's waiver to State Governor's Office

(3) Request for Congressional announcement date to Congressional Liaison Staff, National Office

1. Upon receipt of Governor's waiver and designation of Congressional announcement date:

   (1) Send out sponsor's notice of approval

   (2) Forward agreement to sponsor for signature

3. The National Office shall:

   a. Consider recommendations of the Regional Offices, when cost of a proposed project is in excess of $500,000 and take appropriate action.

   b. Ensure compliance with the Checkpoint Procedure (See Part IV hereof).

   c. Notify the Assistant Secretary for Manpower or project proposals vetoed by State governors and take such further action as may be appropriate.

C. EMPLOYMENT SERVICE ASSISTANCE TO SPONSORS

1. The Employment Service can provide essential services to BWP sponsors. The success of work-training experience projects will, in large part, depend upon how closely the Employment Service and local sponsors work together in a cooperative arrangement.

2. During development of a project proposal the sponsor will contact the local Employment Service office and ascertain whether the Employment Service can offer assistance with the following services (in the case of CAA sponsors, CAP Memo. No. 56 shall apply): outreach; screening; testing; counseling; referral; job development; and placement.

   In addition, the Employment Service may also be able to offer specialized services for sponsors in the following areas; job market surveys; population census of disadvantaged areas; educational and occupational counseling; occupational analysis; and job re-engineering/restructuring.

3. Prior to the submission of a project proposal, the sponsor should request the Employment Service to certify what services it can provide, in what quantity, and for what number of enrollees. This information should be included with the project proposal along with appropriate forms, properly executed. (In the case of CAA sponsor, CAP Memo No. 56 shall apply.)

IV. PROCEDURES FOR PROJECT APPLICATION AND DETERMINATION OF SPONSORSHIP

A. CRITERIA FOR DETERMINING SPONSORSHIP OF PROJECTS

1. Definition of Terms

a. CAA--A Community Action Agency certified by either the OEO National Office or appropriate OEO Regional Office and functioning in accordance with the regulations of the OEO as stated in CAP Guide, Volume I, and the recipient of at least one grant under either Section 204 or 205 of Title II of the EOA.

b. Sponsor--As used in the Checkpoint Form, included herein, a sponsor is defined as the "prime contractor" or "prime grantee" and the terms are used interchangeably. The sponsoring agency of a BWP project assumes responsibility for project design and such operating matters as employment of staff, selection of enrollees, maintaining control of or dismissing enrollees, settling enrollee grievances, etc. In short, the sponsor acts as the employer of both project staff and enrollees. In addition, the sponsor assumes responsibility and accountability for all fiscal transactions--the disbursement of Federal monies for enrollee wages, staff salaries or other approved and allowable project costs.

2. Criteria for Sponsorship of Projects

a. Projects funded by the BWP shall be sponsored by a local CAA, unless:

(1) The CAA chooses not to sponsor the proposed project;

(2) The CAA fails to demonstrate affirmatively its capacity to function as a sponsor; or

(3) There is no CAA in the area.

B. PROCEDURES FOR DETERMINING SPONSORSHIP OF PROJECTS

1. Applications for New Projects (Projects not previously funded)

a. Procedures for the applicant:

(1) If a CAA is the applicant, the CAA shall submit the project proposal and a properly executed Checkpoint Form to the BWP Regional Office.

(2) If the applicant is not a CAA, the applicant shall submit, by certified mail, a copy of the proposal and properly executed Checkpoint Form to the local CAA.

(3) The CAA shall review the proposal and complete appropriate items on the Checkpoint Form and return the Checkpoint Form with accompanying explanation, as required, to the applicant by Certified Mail within 10 working days from date of receipt.

(4) The CAA shall have the option of:

(a) Electing to be the sponsor of the proposed project and to assume full and exclusive responsibility for its operation.

(b) Electing to be the sponsor of the proposed project and to delegate the operation of the project to the applicant agency. If the CAA elects to delegate the project, it shall draft a sub-contract or written delegation agreement between itself and the proposed delegate agency and attach same to the completed Checkpoint Form.

(c) Electing to work out an agreement between itself and the applicant agency with regard to coordination of the proposal, i.e., how the proposed project will operate in relation to the over-all program of the CAA, and approves the applicant agency as the proposed sponsor of the project.

(d) Electing not to be sponsor without exercising option (c) above.

(5) If the CAA states an objection in the Checkpoint Form to the project proposed by the non-CAA applicant, the applicant shall contact the CAA with regard to the objections raised by the CAA and if he wishes to proceed with his application, shall endeavor to resolve the issues. (No specific time limit on this process applies.)

(6) If the non-CAA applicant ultimately obtains the concurrence of the CAA in the sponsorship of the proposed project, the applicant shall obtain the written concurrence of the CAA in support of the project proposal and submit the project proposal along with the completed Checkpoint Form and the written concurrence of the CAA to the BWP Regional Office. If the applicant is unsuccessful in resolving the objections of the CAA as stated in the Checkpoint Form and concludes that further negotiations with the CAA will not result in the concurrence of the CAA, he shall submit a copy of the project proposal along with the completed Checkpoint Form containing both the comments of the applicant and the CAA to the BWP Regional Office and shall so inform the CAA in writing of his action.

2. Applications for Project Renewals

a. Applicability of Criteria

The criteria for sponsorship of BWP projects (See Section A, above) shall apply. However, it is recognized that the renewal of on-going projects presents unique considerations which require special attention, e.g.:

(1) The quality and effectiveness of the project as presently sponsored;

(2) The appropriateness of the existing sponsor and his ability to administer the project effectively;

(3) The possible disruption of continuity of services and resulting adverse impact on the enrollees and the community which may issue from a change in project sponsorship.

When assessment indicates that the retention of present sponsorship is desirable, CAA's are encouraged to select one of the options provided in B.1(4) (b) or (c) or (d) above.

b. Project Renewals Defined

A project renewal is defined as an agreement which requests additional funds to the continuing existing project. For purposes of this definition, Title I-B In-School projects which terminate at the end of the school year and for which re-funding is sought for the following school year, shall be considered renewals. Title I-B Summer Projects which operate only during the summer months shall be considered project renewals in each succeeding year.

c. Procedures for Project Renewals

Procedures prescribed above for new projects shall be followed in processing applications for project renewals.

3. Procedures for BWP and OEO Regional Offices

a. The BWP Regional Office shall, either on its own initiative, or upon the request of a non-CAA applicant or the local CAA, participate in discussions between the non-CAA applicant and the CAA when any objections by the CAA to the proposed project have not been resolved.

b. The OEO Regional Office may be called in at anytime by either the BWP Regional Office or the local CAA to participate in discussion with the non-CAA applicant, the local CAA and others, as appropriate, to resolve all outstanding issues. If called in by the local CAA, the OEO Regional Office must inform the BWP Regional Office.

c. In the case of a CAA applicant, where the BWP Regional Office wishes to approve the proposed project with the CAA as the sponsor, the Checkpoint Procedure will have been completed when the CAA submits the project proposal and completed Checkpoint Form to the BWP Regional Office. The BWP Regional Office shall proceed with the processing and funding of the project proposal.

d. If the applicant is an agency other than a CAA or if a CAA is the applicant and the BWP Regional Office believes that there are sound reasons for funding the proposed project with a non-CAA sponsor, the BWP Regional Office shall complete appropriate items on the Checkpoint Form and submit it along with the project proposal and a written justification for the proposed sponsorship by an agency other than the CAA, by Certified Mail, addressed to the CAP Manager of the appropriate OEO Regional Office.

e. The OEO Regional Office shall complete appropriate items on the Checkpoint Form and return the Form by Certified Mail to the BWP Regional Office within 10 working days of receipt.

f. In the event the OEO Regional Office, after having received the Checkpoint Form has not responded to the BWP Regional Office within the time limit prescribed, the BWP Regional Office shall inform the BWP National Office and obtain the consent of the BWP National Office before proceeding with processing and funding of the proposed project.

g. If the OEO Regional Office concurs in the position of the BWP Regional Office with regard to sponsorship of the proposed project, it shall so indicate on the Checkpoint Form. In the case of concurrence by the OEO Regional Office, the BWP Regional Office shall proceed with processing and funding of the proposed project.

h. If the OEO Regional Office does not concur in the position of the BWP Regional Office with regard to the proposed sponsorship of the project, the BWP and OEO Regional Offices shall negotiate outstanding issues with regard to sponsorship and shall endeavor to resolve them. If, after such negotiations, the OEO Regional Office and the BWP Regional Office are in agreement, such agreement shall be stated in writing. The BWP Regional Office shall have the written concurrence of the OEO Regional Office before proceeding with processing and funding of the proposed project.

i. In the event the BWP and OEO Regional Offices cannot agree on the proposed sponsor of the project, the BWP Regional Office shall send the project proposal, along with the completed Checkpoint Form and all supplementary documentation by all parties concerned, to the BWP National Office. The BWP Regional Office shall inform the OEO Regional Office in writing that it has submitted the project proposal and related documentation to the BWP National Office for appropriate action.

j. The BWP Regional Office shall, in all cases, notify the OEO Regional Office, Office of the CAP Manager, of final action taken on all project proposals regardless of sponsorship.

k. In the case of a proposed project which covers a geographic area which is larger than the geographic area covered by a single CAP agency, but falls within the purview of a single OEO Regional Office, that Regional Office shall assume the major responsibility for negotiating the project proposal with the BWP Regional Office and shall represent the interests of the CAP agency(ies) involved.

l. In all cases dealing with BWP projects as prescribed above (except as prescribed in m. below), the OEO Regional Office Representative shall be the CAP Manager (or his designee) and all communications and mail shall be addressed to: OEO Regional Office, Office of the CAP Manager.

m. In all cases involving an Indian CAP (a CAA on an Indian Reservation) the CAP Indian Desk in the OEO National Office shall act as the equivalent of an OEO Regional Office and shall perform all functions prescribed above. All communications and mail shall be addressed to: OEO/CAP, Special Projects Division, Indian Desk, Washington, D. C.

4. Procedures for BWP and OEO National Offices

a. The BWP and OEO National Offices shall have primary responsibility for ensuring that the above prescribed standards and procedures are observed by both agencies, their Regional and State counterparts, and the prospective sponsor(s).

b. The BWP National Office, when informed by its Regional Office that the appropriate OEO Regional Office has not responded on the Checkpoint Procedure as prescribed herein, shall request a clarification of the non-response from the OEO National Office, CAP Manpower Division. If no answer is received within 5 working days from the OEO National Office stating that the BWP and OEO Regional Offices are in communication, the processing and approval of the project will proceed.

c. The BWP and OEO National Offices shall directly negotiate project proposals which cover a geographic area which exceeds the boundaries of a single OEO/BWP Region.

d. The BWP and OEO National Offices shall directly negotiate the question of sponsorship of a proposed project when it cannot be resolved at the Regional level. The National Offices of BWP and CAP will endeavor to resolve, within 10 days, the question of sponsorship of the proposed project and concur in the BWP Administrator's decision to modify, approve, or disapprove the proposed project.

Note: A copy of the completed Checkpoint Form and all pertinent supporting documents shall be maintained in the official agreement file.

C. SPECIAL SITUATIONS

1. Proposed Projects Under Title II

At the time an application for a project is received from a potential sponsor, the Field Representative will notify the sponsor that further action on the proposal cannot be taken until the availability of funds for the project has been determined. The Field Representative will then request the BWP Regional Office for information about the availability of funds. The BWP Regional Office will then ask the OEO Regional Office for the information. If sufficient funds are available within the Title II allocation, the Field Representative will be notified to proceed with preparation of the project application.

2. Modifications That Involve Changes in Funding

That part of the modification which deals with funding (increased costs) for Title II projects shall be submitted to the OEO Regional Office for a determination as to the availability of funds within the Title II allocation in the same manner that a request for funding a new project is processed.

U. S. DEPARTMENT OF LABOR
Manpower Administration
Bureau of Work Programs

CHECKPOINT FORM FOR DETERMINING SPONSORSHIP OF BWP PROJECTS

A separate checkpoint form must be executed for each project proposal submitted to BWP.

1. Programs to which this document refers:

   ☐ Neighborhood Youth Corps (EOA, Title I-B)

   ☐ Operation Mainstream (EOA, Section 205(d))

   ☐ New Careers (EOA Section 205(e))

   ☐ Special Impact (EOA Title I-D)

2. Project Number (if one has been assigned by BWP)#__________

3. Response of Proposed Sponsor

   The proposed Sponsor certifies that this proposed project:

   (a) ☐ will be sponsored and operated by the ____________________
   ____
   (Name of CAA)
   Community Action Agency which is funded under either Section 204 or 205 of Title II of the EOA (e.g., the CAA will be the prime contractor or grantee and no subcontracting of operating responsibility of the total project will take place.)

   (b) ☐ will be operated as a delegated project of the ________________
   ____
   (Name of CAA)
   Community Action Agency through the following arrangement:

   ☐ the CAA will be the prime contractor and this entire project will operate under a subcontract with another agency (attach copy of proposed subcontract and/or delegation agreement) ______________________________
   ____
   (Name of Proposed Delegate Agency)

BWP 120
March 67

If you have checked either 3(a) or 3(b), you need not answer any of the following questions but you should turn to Item 8 and sign and date this form as indicated.

4. Response of Proposed Sponsor if NOT a Community Action Agency

If this project is not to be operated under the arrangements specified in Item 3, the proposed Sponsor certifies that this project proposal:

(a) ☐ was developed in cooperation with the following named CAA ______________________________ which prefers to act as a coordinating agent without assuming operating responsibility for this proposed project.

(b) ☐ was not developed in cooperation with a Community Action Agency because:

1. ☐ there is no CAA serving the community (If answer affirmative, proceed to Item 6)

2. ☐ cooperation with the CAA was not possible (attach explanation)

5. Response of the CAA:

The ______________________________ Community Action Agency
(Name of CAA)
represents that:

(a) This agency was consulted in the planning of the proposed project as indicated in 4(a).

☐ Yes ☐ No

(b) The CAA recommends that the proposed project be funded by the EWP and concurs in the sponsorship of the project by an agency other than the CAA, because it will complement the overall programs of the CAA in the community and will be effectively coordinated with the CAA's program.

☐ Yes ☐ No

If the response to 5(b) is "Yes", attach explanation of how proposed project will complement the overall program of the CAA and/or a copy of the agreement between the prospective sponsor and the CAA.

If the response to 5(a) and/or 5(b) is "No", explain why the CAA opposes funding of the proposed project to the proposed sponsor.

6. Response of OEO Regional Office (to be completed by Regional CAP Manager or his designee)

(a) This office certifies that ______________________________ is a
(Name of CAA)
Community Action Agency in accordance with the regulations of the OEO as stated in CAP Guide, Pages __________ and is operating under at least one grant made pursuant to either Section 204 or 205 of Title II of the EOA.

☐ Yes ☐ No.

(b) This office concurs in the response to Item 4(b)1., above, and certifies that no CAA exists in the geographic area to be served by the proposed project and raises no objections to the further processing of the proposal.

☐ Yes ☐ No

(c) This office has reviewed the proposal and completed Checkpoint Form and is satisfied that sufficient coordination has been achieved between the appropriate local CAA and proposed sponsor.

☐ Yes ☐ No

Please attach a detailed explanation of your response to Item 6(c).

(d) This office has reviewed the proposal and the completed Checkpoint Form and concurs in the proposed sponsorship of the project by an agency other than the local CAA.

☐ Yes ☐ No

7. Response of BWP Regional Office

(a) If the proposed sponsorship is objectionable to the CAA, or the OEO Regional Office, or if conflicting responses have been given for Items 4(a) and 5(a), this Checkpoint Form must include an explanation of the points at issue and what steps have been taken, consistent with this checkpoint procedure, to obtain concurrence of all parties concerned. Attach such written explanation to this form. The BWP Regional Office has attached a written explanation as required above.

☐ Yes ☐ No

(b) If objections to the proposed sponsor, as described in the attachment required under Item 7(a) above, have been resolved, the BWP Regional Office must have the written concurrence of the OEO Regional Office and, if possible, the written concurrence of the CAA before continuing processing of the proposal.

If objections to the proposed sponsor have been resolved, the BWP Regional Office has obtained the written concurrence of:

The OEO Regional Office	☐ Yes	☐ No
The CAA	☐ Yes	☐ No

(Attach written concurrences)

SIGNATURES OF REPRESENTATIVES OF ALL AGENCIES COMPLETING THIS CHECKPOINT FORM

8. If a CAA exists in the geographic area to be served by the proposed project, the CAA must complete Item 8.

Signature:

____
(CAA representative completing this Checkpoint Form)

____
CAA Administrator

Date:________________________
(Checkpoint Form completed and signed)

9. Proposed Non-CAA Sponsor

Signature:

____
(Proposed Sponsor's representative completing this Checkpoint Form)

____
(Administrator of Proposed Sponsoring Agency)

Date:________________________
(Checkpoint Form completed and signed)

10. OEO Regional Office (to be signed by CAP Manager or his designee)

Signature:

____
(CAP Manager or designee)

____
(Title)

OEO Region Number________________

Date:________________________
(Checkpoint Form completed and signed)

11. Director of BWP Regional Office or his designee

Signature:

____
(BWP Director or his designee)

____
(Title)

Region Number __________________

Date: ________________________
(Checkpoint Form completed and signed)

V. PROCEDURES FOR CONDUCTING WORK-TRAINING IN INDUSTRY

The 1966 amendments to the EOA permit the use of private for-profit organizations to provide work-training to enrollees in Title I-B projects. BWP wishes to proceed with this program in the most efficient manner to both aid the disadvantaged and at the same time, avoid a duplication of the BAT's efforts in this area. Therefore, effective liaison must be established by the two Bureaus. The procedures set forth below are to be followed to achieve this objective.

1. Definitions

   A. Apprenticeship

   Apprenticeable jobs are occupations which may be registered with BAT or with a State Apprenticeship Council and are listed in a pamphlet entitled, "National Apprenticeship." State apprenticeship program eligibility is decided on the state level, and contact with BAT regional offices shall be necessary to identify these occupations.

   B. Skilled

   Skilled occupations refer to jobs requiring a pre-determined period of training in addition to theory. These occupations require the ability to establish facts and draw valid conclusions as well as interpret an extensive variety of technical instructions in books, manuals and mathematical or diagrammatical forms.

   C. Semi-skilled

   Skilled content, while requiring a pre-determined training period, would require a minimum and informal amount of theory. These occupations require understanding to carry out instructions furnished in written, oral or diagrammatic form and deal with problems involving several concrete variables in or from standardized situations.

2. General. BWP staff and sponsors are to understand that the Work-Training in Industry component will be oriented in terms of the needs of people rather than the needs of an employer. This means that all components developed shall include an understanding of the needs of the disadvantaged and shall provide a reasonable expectation for employment. It is also expected trainees will receive a progression of wages during and/or at the completion of the WTI component to reflect the higher skills attained.

3. Coordination. Successful operation of the WTI component shall require very close coordination with BAT in the field as well as the national office. Bureau liaison officers shall be appointed by the respective Administrators and similar liaison officers shall be appointed by regional directors. The functions of these officers will be to insure that both Bureaus are fully aware of the different programs being developed or executed to insure that both programs serve the needs of the disadvantaged to the optimum extent, without duplication.

4. Procedures for Development of a Work Training in Industry Component

A declaration of interest shall be filed by the prospective employer or training organization at the BWP regional office. This may come about through the initiative of the employer or training organization as a result of program publicity or by direct development by the BWP field representative or sponsor. A copy of the declaration of interest that has reasonable prospects for contract development shall be furnished to the BAT Regional Office through the BWP Regional Liaison Officer. The declaration of interest shall be reviewed with BAT to comply with coordination procedures and agreed upon guidelines. Continuous cooperation with BAT in the subsequent steps in developing the program is essential.

The BWP field representative and sponsor shall visit the potential training facility to explore in detail the feasibility of the WTI project suggested. They shall also obtain a detailed description of duties and performance requirements of the occupation and the employer's minimum hiring specifications.

The sponsor or field representative shall check with ES for justification of the project in terms of skill shortages and for recruitment and referral services, if needed. Training is not to be undertaken if there are qualified unemployed workers available for immediate referral.

The sponsor shall, in coordination with the employer, develop the project plan or proposal, and budget.

Upon approval of the proposal, a letter of understanding shall be prepared and signed by the training facility and the BWP sponsor . (This letter may be identical to the letter of understanding normally required from prospective "host" agencies under Title I-B projects.)

If approved by the BWP regional office, the letter of understanding shall then be incorporated into the agreement, either at its initial development, or in the form of a standard supplemental agreement, for on-going programs. (On the form provided for this purpose by BWP)

5. Selection. Due to the orientation of WTI components administered by BWP to aid the disadvantaged, a preferred selection procedure will be employed whereby only disadvantaged individuals will be hired by the employer-trainer. Sponsors may refer enrollees to WTI openings without referral or screening through the ES where these services have formerly been provided through the recruitment procedure. ES services should be used if they were not previously available.

6. Eligibility. Disadvantaged persons who meet the Title I-B requirements specified in Part I-B and II-A of these Standards and Procedures and who need new or improved skills in order to obtain or continue in suitable full-time employment, are eligible for selection as trainees in a WTI component.

7. Length of Training. Length of training shall be determined by the skill content of the occupation and the requirements necessary to qualify the applicant for entering into the occupation. In no case shall the training extend beyond the termination date of the BWP sponsor's on-going contract or such date as extended by modification.

8. Wages. Wages shall be commensurate with those paid to employees in similar occupations within a labor area or by an employer. Federal, State and local laws must be complied with. In no case shall the wage be less than $1.40 an hour or the prevailing wage, whichever is higher.

9. Work Conditions. The working conditions for trainees in WTI situations must comply with the Secretary's Regulations with respect to BWP or other applicable labor laws. All WTI trainees must be covered by workmen's compensation insurance. Work rules and grievance procedures shall be clearly delineated.

10. Sponsor Potential. Work Training in Industry projects will normally be included as a sub-agreement with a regular BWP sponsor. Any employer or organization with a capacity for conducting training in an occupation and providing for reasonable expectation of employment upon completion of training may be eligible. This might include employers in industry and commerce, trade associations, labor organizations, civil rights groups and Government agencies.

    Any organization interested in providing WTI must meet the following requirements:

    a. There must be a reasonable expectation of employment at the conclusion of the training project.

    b. The contractor must not have relocated his facility to take advantage of the training provided by this program. Plants that have moved and caused or may cause unemployment as a result shall not be eligible for participation until cleared by investigation.

c. Work Training in Industry shall not be used as a substitute for on-going projects although it may be used to expand existing projects. The aim of this program is not to reduce training efforts or the cost of training as the result of a WTI contract.

d. If there are qualified unemployed workers available for immediate referral (refer to the local ES) the project should not be considered.

e. There shall be no abnormal labor relations in the training facility. Where a labor agreement exists, the bargaining agent holding a contract for the occupation must concur with the project.

f. Manpower Administration Order No. 7-66 dated July 21, 1966, states that some types of projects may not be approved and, therefore, efforts should not be expended for their development.

These include:

(1) Projects for occupations in which wages are based primarily on commissions such as life insurance salesmen, etc.

(2) Projects where commencement of training within 60 days, even if promised, is unlikely.

(3) Projects which may be more effectively or economically conducted under other Federal or state laws.

(4) Projects in the apparel industry.

(5) Projects for aircraft pilots.

g. Incentive wages and piece work may be paid where the trainee receives the same price per piece as the trained worker and also a guaranteed basic hourly wage of $1.40 or the prevailing wage, whichever is higher.

h. Although no minimum matching share shall be required, employers must share the costs of training. The costs to be borne by EWP will be a matter for negotiation.

11. Work Training in Industry Costs. Contracts shall include cost reimbursable agreements comparable to BAT standards. The cost of wages and fringe benefits shall be the responsibility of the training facility.

The cost for WTI contracts will be determined by consideration of:

a. The skill content of the occupation.
b. The duration of training required.
c. The training supplies required.
d. The wage paid the instructor.
e. Waste scrap and maintenance involved.

Cost-reimbursable contracts shall be funded in the prescribed manner for regular BWP agreements.

The items listed below may be included in training agreements under certain conditions as allowable training costs. It is not expected that each facility will always be reimbursed for all of the items. It is the sponsor's responsibility to negotiate reasonable costs for each WTI project. Allowable reimbursement costs may vary according to the relationship between the training facility and the trainee. There are basically two relationships: Training facilities training solely for their own use; and training facilities training for their own use and for the labor market area. In addition to a total cost for each item, costs will be itemized as appropriate. For example, the number of trainers and rate of pay per hour should be given under Instructor Wages and Salaries.

Guidelines for Inclusion of Reimbursable Items

A. Job Training Services

1. Instruction of WTI Trainees. Wages and/or salaries for WTI instructor-trainers may be reimbursed at the going rate in the industry or community for hours scheduled in training the enrollees.

2. Trainee Supervision. Salaries for direction or supervision of WTI trainees whenever the trainee work load justifies it, are reimbursable.

3. Clerical Salaries. Part-time or full-time clerical salaries for the portion of time spent on WTI duties which are related specifically to a WTI component and the trainee work load is allowable.

4. Social Security and other Benefits. These costs are allowable for trainers, clericals and training supervisors performing work directly related to the project and shall be the same benefits normally paid for and provided by the training facility for regular employees in the establishment or industry.

B. Training Materials and Supplies

1. Consumable Materials. Costs of training materials of a consumable nature used in the work program directly for the trainee and which do not enter the channels of trade or are consumed in related instruction are reimbursable.

2. Rental Costs

(a) Instruction Aids. Rental of items such as training devices, visual aids, projectors and other training items when such devices are necessary and when they are not available in the training facility is allowable.

(b) Production Equipment. Equipment rental costs are not allowable when the contractor is sponsoring training on his own payroll which he will use before or after completion of training. In a situation where the contractor is training for a demand in the labor market area, reasonable rental costs are allowable in exceptional cases.

(c) Rental of Space for Training Purposes. Space assigned part or full time within the facility for the work program and which is for company employees only or for trainees who will be employed upon completion of training, is not allowable.

When the training facility provides WTI for its own employees and for trainees of other employers in the labor market area, the cost may be allowable.

When space for WTI is not available within the facility, reasonable rental costs may be allowable.

(d) Maintenance and Repair Costs. When the facility is training for demand in the labor market area, reasonable repair and maintenance costs on equipment used for training are allowable.

When the training facility is training solely for its own use, only such repair and maintenance costs as are in excess of the ongoing experience of the establishment and which are not clearly chargeable to training will be allowed.

(e) Waste and Scrap. Waste and scrap in excess of the ongoing experience of the training facility for regular employees in the same kind of work is allowable.

(f) Other Costs:

(1) Bonding Fees. The minimum bonding fee to cover the bond required to protect the WTI training agreement is reimbursable.

(2) Liability and Insurance Premiums. Premiums for employees of the training facility are not allowable as WTI costs. Premiums for trainees who are not currently in employer-employee relationships including those that the facility is training for the labor market area are allowable.

(3) Custodial and Utilities Services. When the training facility is conducting WTI in its own facility for its own employees, custodial and utility services are not allowable.

Fire insurance for separate jobs or related instruction areas in rented space used exclusively for WTI is allowable.

When the training facility provides WTI for its own employees and WTI training for the labor market area, custodial and utility services are allowable.

When space for the WTI component is not available within the training facility, custodial and utility services are allowable.

12. Project Budget Form, NYC-28. A separate project budget will be completed for each Work Training in Industry Component. The Component should be identified at the top of the form.

Under Enrollee Wages (Account Number 1601) an additional breakdown will be typed on the back of the Project Budget (NYC Form 28). This breakdown shall be a budgetary estimate only; no breakdown of enrollee wages will be required on the BWP Sponsor's Detailed Statement of Costs (NYC-25).

Example:

I. Enrollee Costs — Budgetary Estimate

1. Counseling $________
2. Remedial Education $________
3. Supplemental Vocational Training $________
4. Work Performed $________

Total Enrollee Wages $________

Training Costs in the WTI component shall be included in Other Direct Costs (Account Number 1670). The budgetary estimate of training costs shall be typed on the back of the Project Budget NYC-28. As indicated above, no breakdown of training costs shall be reported on the Form NYC-25.

Example:

II. Operational Costs: — Budgetary Estimate

D. Other Direct Costs..1670

1. Training Costs $________
2. Other Direct Costs $________

Total Other Direct Costs $________

13. Financial Reports. Work Training in Industry records and accounts shall be maintained separately to facilitate the control of WTI funds.

a. Sponsor's Invoice, Form NYC-24. A separate invoice must be prepared for the Work Training in Industry component of a BWP youth project. This is necessary to insure that the payment is charged against the applicable budgetary allotment for the WTI component. This form will be prepared in accordance with instructions in the NYC Program Manual. The type of project or component, in this case "WTI", should be clearly indicated in the upper right hand corner.

b. Detailed Statement of Costs, Form NYC-25. A separate Detailed Statement of Costs (Form NYC-25) shall be submitted for each WTI component, reporting all costs incurred under the terms of the agreement. These reports, which are due in the National Office on or before the 12th of each month, are also covered in the NYC Program Manual (Chapter VI).

The sponsor shall indicate that the NYC-25 refers to a WTI component by clearly indicating this in the upper right hand corner of the NYC-25.

14. Enrollee Reports. Reporting Requirements under 1966 Amendments to the Economic Opportunity Act, dated February 1, 1967 shall be followed.

a. Sponsor's Activity Report, NYC-9. BWP youth projects with WTI components shall complete two NYC-9 reports each month:

One for public and private non-profit organizations, only; the other for WTI components in private industry only. These forms shall be properly identified, attached and submitted jointly.

Items of importance for NYC -9's relating to WTI components

(1) Type of Project: Check "other" and write in "P"

(2) Item 3, New Enrollees this Month: Enter the total number of new enrollees assigned to WTI including those who transferred from work training assignments with public or private non-profit organizations.

(3) Item E, Payroll Data: Enter the wages paid and hours spent in Work Training in Industry assignments during the month on a separate line and enter the wages and hours compensated with public funds on another. Line 12, Totals, will reflect the combination of wages from public and private sources.

(4) Narrative Attachment: Attach a narrative to the NYC-9's for these programs, listing the occupational title, a two digit DOT code and the number assigned to each work classification.

Example:

Occupational Title	DOT Code	Number Training
Stenography	20	8

b. Title I-B Enrollee Record, NYC-16. A new NYC-16 is to be completed for each enrollee transferred from an assignment in a public or private non-profit work station to a WTI assignment.

The following items apply specifically to WTI enrollees:

(1) Item 4: Write in "PP".

(2) Item 44: Enter specific job title to which the WTI enrollee is assigned and the appropriate two digit DOT job code.

c. Individual Trainees Termination Form, D/HEW MT-102. A form MT-102 is to be completed for each individual at the time his status as an enrollee ends either by his own termination or by expiration of the project agreement. For sponsors whose agreement includes a WTI component, this means that an MT-102 must be filed for all individuals transferred to work stations with a private employer from a public or private non-profit organization.

The following instructions apply for WTI enrollees:

(1) Under the heading Program and Project: Check NYC-4 and OJT-2.

(2) Item B4: Enter the specific job title in which the trainee is assigned.

(3) Item C2: Check number 11

(4) Item E: Check number 05

15. Monitor. Field representatives shall be required to monitor WTI components at least every other month after the initiation of such component When its duration is only 160 hours, the WTI component shall be monitored during the third or fourth week. The following areas shall be reviewed:

a. Quality of job instruction.
b. Quality and sufficiency of equipment.
c. Sufficiency of supplies and materials.
d. Degree of trainee satisfaction.
e. Degree of employer satisfaction.
f. Quality of trainee products and services.
g. Effectiveness of supplementary instruction.
h. A general statement shall also be submitted pinpointing the field representative's overall review of the component and summarizing highlights such as dropout rates or any other point felt to be significant.

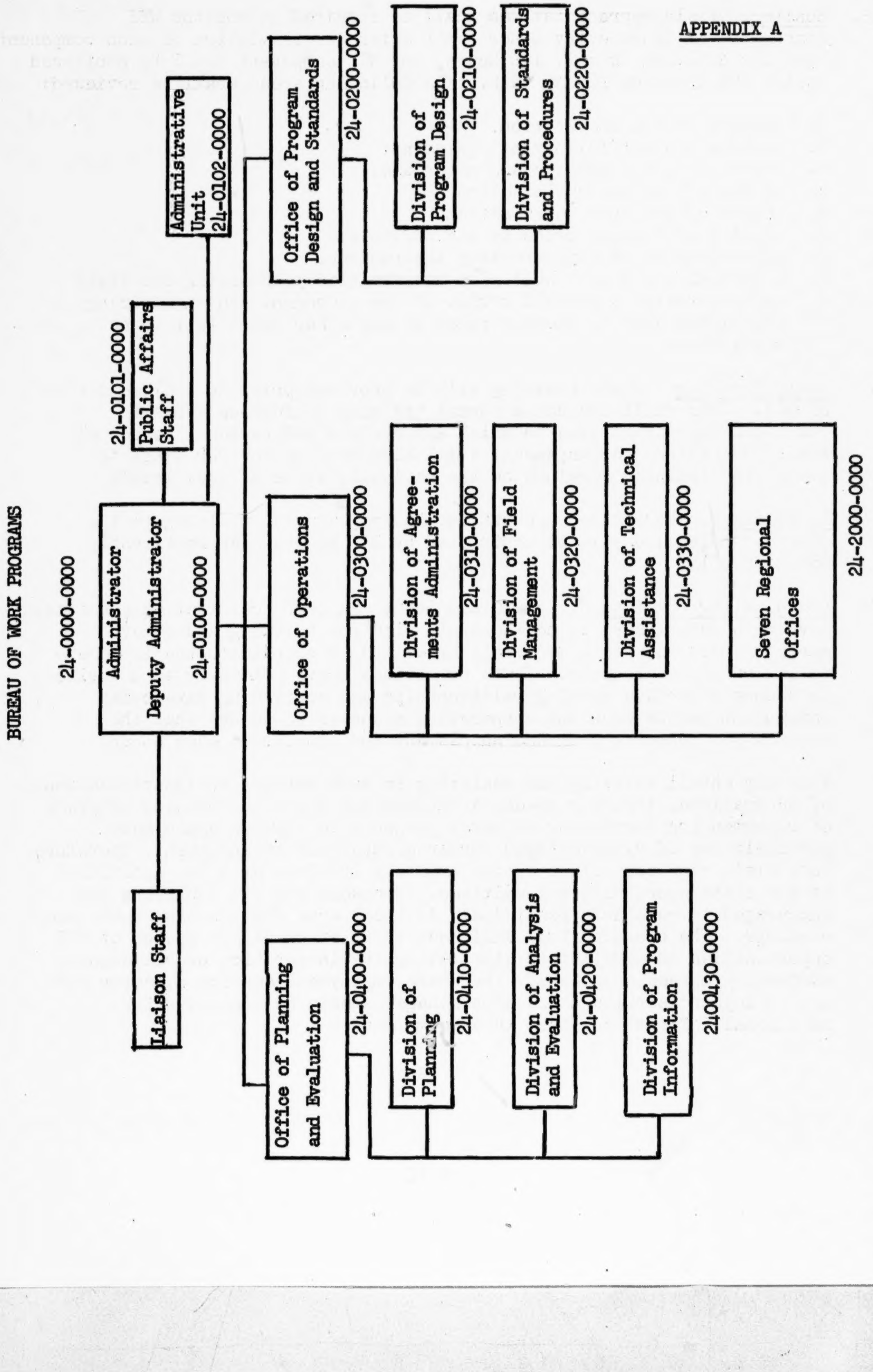
16. Staff Training. Staff training will be provided prior to implementation of WTI. This shall include a formal training conference for all BWP field representatives to which appropriate BAT regional personnel shall be invited. Arrangements shall also be made for BWP staff to attend BAT training sessions on the regional, state or area levels.

17. Limitations. Formalized apprenticeship programs for training to the journeyman level are to be contracted by BAT or State Apprenticeship Councils only.

18. Coordinating Committees. State and local manpower coordinating committees have been established to collectively plan the training and other manpower needs of state and local areas and to coordinate the implementation of these programs. These committees serve primarily as a device to assure effective working relationships and continuing day-to-day communications between the cooperating agencies to insure that the community's manpower programs supplement and complement each other.

This may entail advising and assisting in such matters as identification of occupational training needs, arranging for specific training programs or recommending particular manpower projects to improve employment possibilities of disadvantaged worker groups. It is incumbent, therefore, that field representatives become actively involved with the activities of the state coordinating committees. Sponsors and WTI employers are encouraged to regularly participate in local area coordinating committee meetings. The coordinating committees offer an excellent source of WTI opportunities in addition to stimulating the integration of all ongoing manpower programs and plans. The state employment service director and the employment service local area manager should be contacted for additional information about these committees.

APPENDIX A


BUREAU OF WORK PROGRAMS

24-0000-0000
Administrator
Deputy Administrator
24-0100-0000
Liaison Staff
24-0101-0000
Public Affairs Staff
Administrative Unit
24-0102-0000
Office of Planning and Evaluation
24-0400-0000
Division of Planning
24-0410-0000
Division of Analysis and Evaluation
24-0420-0000
Division of Program Information
240030-0000
Office of Operations
24-0300-0000
Division of Agreements Administration
24-0310-0000
Division of Field Management
24-0320-0000
Division of Technical Assistance
24-0330-0000
Seven Regional Offices
24-2000-0000
Office of Program Design and Standards
24-0200-0000
Division of Program Design
24-0210-0000
Division of Standards and Procedures
24-0220-0000

Appendix B

NOTICE

Employees of State or local agencies occupying positions subject to the restrictions of the Hatch Act should be informed as to permissible political activities as well as those prohibited by the Act.

THE LAW "No officer or employee of any State or local agency whose principal employment is in connection with any activity which is financed in whole or in part by loans or grants made by the United States or by any Federal agency shall (1) use his official authority or influence for the purpose of interfering with an election or a nomination for office, or affecting the result thereof, or (2) directly or indirectly coerce, attempt to coerce, command, or advise any other such officer or employee to pay, lend, or contribute any part of his salary or compensation or anything else of value to any party, committee, organization, agency, or person for political purposes. No such officer or employee shall take any active part in political management or political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects and candidates. For the purposes of the second sentence of this subsection, the term 'officer or employee' shall not be construed to include (1) the Governor or the Lieutenant Governor of any State or any person who is authorized by law to act as Governor, or the mayor of any city; (2) duly elected heads of executive departments of any State or municipality who are not classified under a State or municipal merit or civil service system; (3) officers holding elective offices." (Section 12(a), Act of August 2, 1939, as amended.)

PERMITTED ACTIVITIES

REGISTRATION. It is not only permissible but an obligation on all citizens to register and vote.

VOTING. The language of the law specifically provides that all persons subject to the Act have a right to vote as they choose.

EXPRESSION OF OPINIONS. All persons subject to the law have a right to express their opinions on all political subjects and candidates, but they may not take an active part in political management or in political campaigns.

ATTENDANCE AT POLITICAL RALLIES, CONVENTIONS, ETC. Employees subject to the Act may attend political rallies and conventions to which the general public is admitted.

NOMINATING PETITIONS. Employees subject to the Act are permitted to sign nominating petitions in support of individuals whom they wish to see become candidates for office.

CONTRIBUTIONS. It is lawful for employees subject to the Act to make voluntary contributions to regularly constituted political organizations.

POLITICAL PICTURES. It is lawful for employees subject to the Act to display political pictures in their homes if they so desire.

BADGES, BUTTONS, AND STICKERS. It is not unlawful for employees subject to the Act to wear political badges or buttons or display political stickers on their private automobiles.

CONSTITUTIONAL AMENDMENTS, REFERENDUMS, ETC. Section 18 of the Act (5 U.S.C., 118n) states an exception relating to elections not specifically identified with National or State issues or political parties. It reads as follows:

> Nothing in the second sentence of section 9(a) or in the second sentence of section 12(a) of this Act shall be construed to prevent or prohibit any person subject to the provisions of this Act from engaging in any political activity (1) in connection with any election and the preceding campaign if none of the candidates is to be nominated or elected at such election as representing a party any of whose candidates for presidential elector received votes in the last preceding election at which presidential electors were selected, or (2) in connection with any question which is not specifically identified with any National or State political party. For the purposes of this section, questions relating to constitutional amendments, referendums, approval of municipal ordinances, and others of a similar character, shall not be deemed to be specifically identified with any National or State political party.

PROHIBITED ACTIVITIES

Serving on or for any political committee, party, or other similar organization, or serving as a delegate or alternate to a caucus or party convention.

Soliciting or handling political contributions.

Soliciting sale of or selling political party dinner tickets.

Serving as officer of a political club, as member or officer of any of its committees, addressing such a club on any partisan political matter, or being active in organizing it.

Serving in connection with preparation for, organizing or conducting a political meeting or rally, addressing such a meeting on any partisan political matter, or taking any other active part therein.

Engaging in activity at the polls (at primary or regular elections), such as soliciting votes, assisting voters to mark ballots, or transporting or helping to get out the voters on election days.

Acting as recorder, checker, watcher, or challenger of any party or faction. Serving in any position of election officer in which partisanship or partisan political management may be shown.

Writing for publication or publishing any letter or article, signed or unsigned, soliciting votes in favor of or against any political party or candidate.

Becoming a candidate for nomination or election to office, Federal, State, county, or municipal, which is to be filled in an election in which party candidates are involved, or soliciting others to become candidates for nomination or election to such offices.

Distributing campaign literature or material.

Initiating or circulating partisan political nominating petitions.

Engaging in political caucuses, or canvassing a district or soliciting political support for a party, faction, or candidate.

Note: ACTIVITIES PERMITTED BY THE HATCH ACT MAY BE RESTRICTED OR PROHIBITED BY STATE OR LOCAL LAW OR REGULATION.

REMOVAL MAY BE RECOMMENDED FOR EMPLOYEES VIOLATING THE ACT

For Additional Information Write to: **U.S. CIVIL SERVICE COMMISSION, Washington D.C. 20415**

POST CONSPICUOUSLY

CSC Form 1982a • March 1962

GPO 867-839

APPENDIX C

ADULT WORK-TRAINING EXPERIENCE PROGRAMS

Examples of Sub-Professional or "New Career" Positions Which Might be Developed in Connection With Projects Under Section 205(e) of The Economic Opportunity Act, as Amended

AGENCY	TASK CATEGORIES	POSSIBLE JOB TITLES
Schools	Assist truant officer, visit family, develop resources, agency referral	Attendance Developer
	Under school nurse, visit homes to teach hygiene and health improvement	Health Educator
	Assist librarian and teachers in working with slow readers. Conduct reading and language laboratories	Reading Developers
	Tutorial and remedial, home visitation, personal assistance, clerical and machine operations, facility coordination.	Education Assistants
	Supervise recess - physical training activities - free time supervision - physical therapy and other therapies prescribed by professionals, particularly with physically handicapped children	Physical Developers
	Supervise and conduct examinations and tests. Score tests, keep records	Test Monitors
Schools Libraries	Process books, file, stack books, keep records, clerical work, supervise craft and club activities	Library Assistants
	Operate sub-stations, bookmobiles, recruit readers	Outreach Librarian
Delegate Agencies of CAA's	Information giving and taking--advice, educate, transportation, communication, etc.	Neighborhood Worker
	Direct contact with individuals organizing community groups, liaison with professional staff, community organization	Community Developer

AGENCY	TASK CATEGORIES	POSSIBLE JOB TITLES
	Intake, interview, clerical, filing, etc., communications	Intake Clerk
Employment Service and Programs	Recruit, inform, advise, interpret, provide liaison, assist clients in seeking services, provide intake and data gathering service, clerical and filing	Employment Worker
Public or Private Social Agencies	Temporary emergency service, child and older person care, budget, hygien, health, nutrition,.etc., instruction and demonstration, family maintenance	Homemaker Service Workers
	Casework assistance, transportation, information gathering and dissemination	Casework Aide
	Inform, demonstrate, instruction and assistance in procurement and utilization of surplus commodities	Commodity Utilization Developer
	Personal and group programs designed to inform poor of services available and method of obtaining them. Planned parenthood and other service agency assistance	Information Assistant
Child Care Centers	Non-Headstart care and training of children; supervise group activities, feeding, reading, bathing, etc.	Child Care Instructors
Health	Work with health professionals in hospitals, health clinics and homes to link services and people; provide referrals, treatment and follow-up service and/or health education	Community Health Service Worker
	Inspection Code enforcement, health education instruction and guidance	Sanitation Assistant
	Trainee position, bath patients, take and record temperature, pulse, respiration, apply simple dressings, give uncomplicated treatment, assist in treatment and examination	Nursing Assistant

AGENCY	TASK CATEGORIES	POSSIBLE JOB TITLES
Police	Operate intake and service program, receive calls, interpret, etc.	Communications Worker
	Monitor parking areas, assist in traffic and safety work, aid in accident data gathering, record keeping and research; education programs with schools, safety patrols	Enforcement Worker
Recreation and Social Agency	Supervise and coordinate activity programs in playgrounds, clubs, centers, etc.	Recreation Aide
Housing Authority	Operate center activity, relate professional to residents; intake and interview, keep records on Housing Code enforcement	Service Worker Code Enforcement Worker
Urban Renewal	Communicate, organize, inform, provide service to relocatees, assist in finding housing, moving, settlement	Relocation Assistant
General Private and Public, Federal State, Local	Index, file, maintain records, receive and route mail, operate simple machines, data development	Clerical
Government Agencies	Lookout, inspect public grounds for compliance, put out fires, clean burned areas, fell snags, brush, etc.	Fire Control Aide
	Collect soil samples, assemble information, explain conservation methods; prepare records	Soil Conservation Aides
	Measure and mark, record tree species and size, thin, plant, prune, enforce rules, keep records, answer questions	Forestry Aide

AGENCY	TASK CATEGORIES	POSSIBLE JOB TITLES
	Perform simple laboratory tests, such as urinalysis, blood tests, biological skin tests; take responsibility for the care of the laboratory animals; take responsibility for the maintenance of the laboratory equipment; type blood for transfusion	Laboratory Assistant
	Prepare patients for X-Ray; affix protective lead plates; assist in keeping of X-Ray room records; develop plates; manipulate switches	X-Ray Technician Assistant
	Prepare patients for examinations, treatment and dental surgery, and assist dentist; develop X-Ray plates, maintain instruments and equipment	Dental Aide
Mental Hospitals, Clinics	Assist with therapy, group conferences, listening, supportive assistance, liaison with professional staff	Service Workers
Courts--Juvenile and Adult Probation and Parole Officers	Maintain direct contact with family of persons to be sentenced; gather information, establish assistance, probationed parolee contact---counsel, assist and maintain contact; counsel, advise and provide service assistance to families of and prison inmates	Casework Aide
Legal Services	Receive information, gather evidence, continue contact with clients and/or family; provide communication between attorney and client	Legal Aide

APPENDIX D

OFFICE OF ECONOMIC
OPPORTUNITY

EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON, D.C. 20506

December 14, 1966

Honorable W. Willard Wirtz
Secretary of Labor
Washington, D. C.

Dear Bill:

The recently enacted amendments to the Economic Opportunity Act have created and funded two new types of work and training programs which have been generally referred to as the Nelson-Scheuer and Kennedy-Javits programs. Preliminary drafts of guidelines for these programs have already been exchanged between our offices, and matters pertaining to the funding and administration of these programs have been the subject of several recent meetings.

As a result of these meetings, it appears that there are three principles on which there is basic agreement. First, all community-based work and training programs under the Economic Opportunity Act (EOA) should be closely related to the local Community Action Agencies. Both programmatic and administrative advantages flow from such an arrangement, and there are clear and specific expressions of Congressional intent in this regard. Consideration should also be given to coordinating other Federal training programs with the EOA programs by relating them to the local CAA.

Second, there are also sound administrative and program reasons for bringing the Federal administration of these same work and training programs together under a single Federal agency and staff. Since Labor already administers NYC and MDTA and will be deeply involved in Work Experience under the recent EOA amendments, this appears to be most feasibly accomplished under the Manpower Administration of the Labor Department. Such a proposal also would conform with Congressional intent as expressed in the House Manager's report and the Senate floor discussions on the conference bill with regard to the Kennedy-Javits Program.

Third, the nature of these new programs is such that they touch directly upon the spheres of interest of the Department of Labor and the Office of Economic Opportunity. The Kennedy-Javits program also touches on interests of the Department of Housing and Urban Development, and the Work Experience program on the interests of the Department of Health, Education, and Welfare. Therefore, it is appropriate that the guidelines or regulations establishing and governing these programs be developed through the joint efforts of these organizations. This also would appear to conform with the intent of Congress as expressed in the recent amendments.

Based on these three principles, the following specific proposals have emerged from the discussions:

1. Administration of Title IB, ID, and Sections 205(d) and (e), including approval of individual project applications, shall be delegated to the Secretary of Labor and operated through an integrated adult-youth staff.

2. The regulations governing the above titles and sections shall be developed by a joint task force of Labor and the Office of Economic Opportunity (perhaps in consultation with Housing and Urban Development and Health, Education, and Welfare) and shall be effective upon joint approval of the Secretary of Labor and the Director of the Office of Economic Opportunity. The regulations shall include statements of the nature and objectives of the programs, criteria for program evaluation, and other policy matters of fundamental importance. Changes in these regulations may be proposed at any time by either party and shall also be subject to joint approval. The regulations governing NYC shall be immediately reviewed and revised as necessary to bring them in conformity with this provision. The chief OEO representative on the task force will be the Director of the Manpower Division, CAP.

3. More detailed implementing policies and operating guidelines, including both intial development and subsequent revision shall be accomplished by a task force involving resources of Labor and the Office of Economic Opportunity. Such operating policies and guidelines shall be issued by the delegate agency.

4. It has been mutually agreed that all projects will be developed by or with Community Action Agencies and that the CAA's will be the sponsor (i.e., be the prime grantee or prime contractor). Sponsorship by other than Community Action Agencies will be approved only because of the non-existence of such an agency or for program reasons establishing a compelling argument against such sponsorship. Whenever non-CAA sponsorship is proposed in a community which has a CAA, regardless of whether the CAA is in agreement with such alternative sponsorship, the OEO regional office will be notified by the Labor regional office and the reasons for alternate sponsorship discussed with them. If the OEO regional office does not concur in the proposal, the matter will be negotiated by the two regional offices.

Where differences persist after regional and headquarters staff discussions they will be resolved jointly by the Washington headquarters of Labor and OEO.

5. Due to the fact that Nelson-Scheuer funds are presently subject to the special state-by-state distribution formula governing most CAP funds, and until such time as these programs are brought under a separate title of the EOA as part of the proposed National Work and Training Program, the closest coordination between Labor and OEO regional offices will be required. Labor will keep the OEO regional office

informed of progress at every stage of development, and at an early stage will obtain from OEO a commitment that funds are available for the community in question. Copies of project proposals will be sent to the OEO regional office at the time they are submitted to the Labor regional office. OEO will retain final authority over fund availability to assure consistency with the state distribution formula. All other legal provisions applicable to Title II of the Act, including such things as involvement of the poor, local matching ratios, and the general education limitation, are of course also applicable to the Nelson-Scheuer program.

6. The selection of participants for these four programs will be concentrated in the community action target areas and will be planned and operated through the CAA utilizing the combined CAP neighborhood center - USES staffs provided for in Employment Service Program Letter (ESPL) #2127 or by special arrangements between the local community action agencies and the local Employment Service offices. These services are normally financed by the grants for the CAP neighborhood center and by the Employment Service and no portion of the funds allocated to Labor for these work and training programs will be used to reimburse either agency except when it is found, consistent with program guidelines, that supplemental funding is essential in order to carry out the objectives of the work and training programs.

7. Because of the small number of grants involved and the possible broad nature of the proposals, development and consideration of individual project proposals under the Kennedy-Javits amendment will be by joint task forces, which will include representatives of OEO, Department of Labor, and such other agencies as may be appropriate in the particular case. This will assure the most effective use of Kennedy-Javits funds in conjunction with all other Federal programs and funds, including those of the Economic Opportunity Act and those of the Department of Labor. The Manpower Administration will have final authority for approval of these projects.

8. All operating information, evaluation reports, and other types of data concerning these programs shall be freely exchanged between the two agencies for the fulfillment of responsibilities charged to the Director of OEO or the Secretary of Labor.

It is my belief that the system outlined above will produce the most effective possible involvement of the Labor Department, OEO, the CAA's, and the poor we serve in these vitally important manpower programs.

I should also like to take this opportunity to inform you of the decision I have made regarding allocation of the 1967 appropriation for programs under the Economic Opportunity Act. Out of the total of $1.612 billion, I feel that the most appropriate distribution will provide the following amounts for the programs proposed for delegation:

Neighborhood Youth Corps	$325 million
Kennedy-Javits	25 million
Nelson-Scheuer	73 million
Total	$423 million

Of the $73 million for Nelson-Scheuer programs, approximately $33 million will be required to continue programs inaugurated in fiscal year 1966 under either the Nelson language or the general community action authority.

Sincerely,

/s/
Sargent Shriver
Director

APPENDIX E

U.S. DEPARTMENT OF LABOR
OFFICE OF THE SECRETARY
WASHINGTON

January 23, 1967

Honorable Sargent Shriver
Director
Office of Economic Opportunity
Washington, D. C.

Dear Sarge:

Thank you for your letter of December 14, 1966, outlining a number of proposals under which certain manpower programs provided for in the Economic Opportunity Act would be delegated to the Department of Labor. The programs involved include the so-called Nelson and Scheuer Amendments to Title II, Sections 205(d) and (e); the Special Impact Programs authorized in Title I-D; and the Neighborhood Youth Corps, which was delegated to the Department of Labor and has been administered by it from the beginning. In my judgment your letter correctly states the general principles that have emerged from discussions between our representatives, and this letter will serve to advise you that I am in accord with these principles.

Your letter also announced the decisions you had made relative to allocation of appropriations for various programs authorized under the Economic Opportunity Act. Although the amount you have allocated for the Nelson and Scheuer programs is the full amount authorized by Congress, that is, $73 million, it is my understanding that amount will be reduced by approximately $6.5 million to cover funding of a manpower program which is to be handled directly by the Office of Economic Opportunity. I have reference to the so-called Foster Grandparents programs developed in cooperation with the Department of Health, Education, and Welfare.

You also advised me that of the $73 million allocated for Nelson and Scheuer programs, approximately $33 million will be required to continue programs inaugurated in Fiscal Year 1966 under the Nelson language or the general Community Action authority. It is my understanding that the $33 million figure will also be reduced by the same amount involved in funding the Foster Grandparents programs, that is, approximately $6.5 million. This will produce an estimate of not more than $26.5 million for the amount needed to continue Nelson and Scheuer type programs.

You know that representatives of our respective staffs have already been meeting in accordance with the provisions of your letter and in the spirit of cooperation expressed in that letter, I am looking forward to a productive relationship that will strengthen and improve the manpower programs available to the communities of the nation.

Sincerely,

/s/ W.W.W.
Secretary of Labor

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